

LEGISLATIVE JOURNAL OF THE STATE OF NEBRASKA

SEVENTY-NINTH (EXTRAORDINARY) SESSION

Convened December 9, 1968

Adjourned December 16, 1968

LINCOLN, NEBRASKA

Compiled

Under Authority of the Legislature

by

HUGO F. SRB, CLERK

LEGISLATIVE JOURNAL OF THE STATE OF NEBRASKA

Printed by

Joe Christensen, Inc.
Lincoln, Nebraska

Printed at the State Capitol

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25	Jerome Warner	Waverly	Farmer	Cass, Lancaster, Otoe
26	John E. Knight	Lincoln	Banking, Insurance	Lancaster
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MEMBERS (Continued)

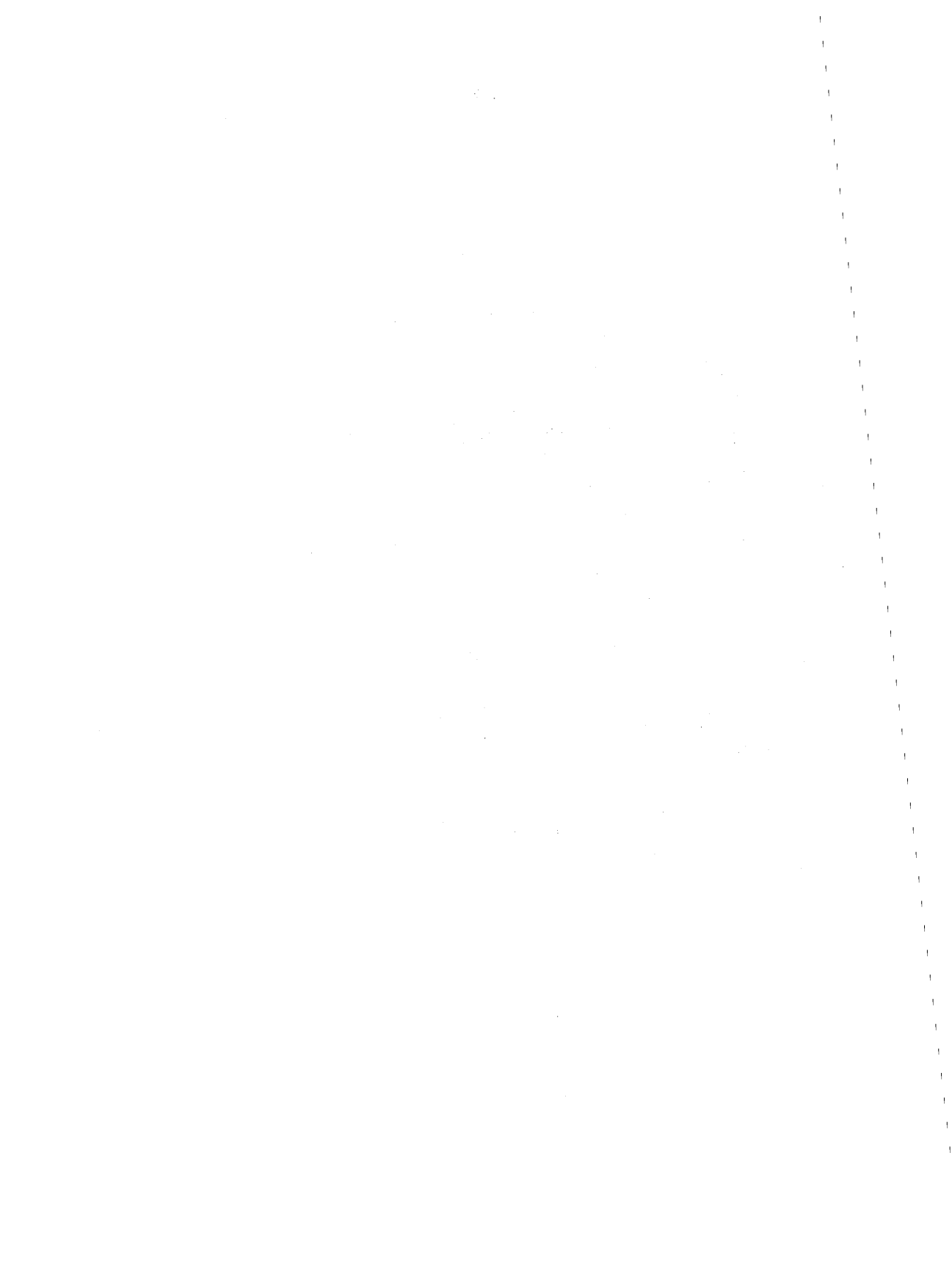
Dist.	Name	Address	Occupation	Counties
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40	William M. Wylie	Elgin	Farmer, Auctioneer	Antelope, Boyd, Holt, Wheeler
41	Rudolf C. Kokes	Ord	Farming, Rancher	Boone, Greeley, Howard, Sherman, Valley
42	J. James Waldron	Callaway	Historian	Arthur, Blaine, Custer, Garden, Garfield, Hooker, Logan, Loup, McPherson, Thomas
43	Elvin Adamson	Valentine	Ranching	Brown, Cherry, Grant, Keya Paha, Rock, Sheridan
44	Ramey C. Whitney	Chappell	Farmer	Chase, Deuel, Dundy, Hayes, Hitchcock, Keith, Perkins
45	Glenn Viehmeyer	North Platte	Horticulturist	Lincoln
46	Harold D. Simpson	Lincoln	Warehouseman	Lancaster
47	George H. Fleming	Sidney	Farming, Ranching	Banner, Cheyenne, Kimball, Scotts Bluff
48	Terry Carpenter	Scottsbluff	Business, General	Scotts Bluff
49	George C. Gerdes	Alliance	Farmer, Rancher	Dawes, Box Butte, Morrill, Sioux

Clerk

Hugo F. Srb.....Dodge

RULES OF THE NEBRASKA LEGISLATURE**TABLE OF CONTENTS**

Rule	1	Authority
Rule	2	Presiding Officer
Rule	3	Officers Elected and Their Duties; Employees, Selection and Duties
Rule	4	Members; Attendance, Decorum, Debate
Rule	5	Committees
Rule	6	Committee Hearings and Reports, Officers
Rule	7	Order of Business
Rule	8	Daily Journal
Rule	9	Manner and Record of Voting
Rule	10	Motions and Their Precedence
Rule	11	Bills; General Provisions
Rule	12	Bills; Stages in Consideration
Rule	13	Petitions and Memorials
Rule	14	Questions and Reference
Rule	15	Resolutions
Rule	16	Privileges of the Floor
Rule	17	Suspension and Amendment of Rules



RULES OF THE NEBRASKA LEGISLATURE**RULE 1****Authority****Constitution of Nebraska. Art. III, Sec. 10**

Gregg's Handbook of Parliamentary Law. The rules of parliamentary practice comprised in Gregg's Handbook of Parliamentary Law, Rev. Ed. c 1940, shall govern the Legislature in all cases to which they are applicable and in which they are not inconsistent with the standing rules of the Legislature.

Amendment and suspension of rules. Rule 17.

RULE 2**Presiding Officer**

Section 1. Presiding Officer: Lieutenant Governor, Speaker. The Lieutenant Governor shall preside as President of the Legislature, and the Speaker shall preside when the Lieutenant Governor shall be absent, incapacitated or shall act as Governor. (Const. Art. III, Sec. 10). All references herein made to the President shall be construed as meaning also the Speaker whenever he may preside.

Member of Reference Committee. Rule 14.

Member of Committee on Order and Arrangement. Rule 5.

Sec. 2. Chairmen of Committees Preside, When. In the absence of both the Lieutenant Governor and the Speaker, the order of the presiding officer of the Legislature shall be as follows:

Chairman of the Legislative Council

Chairman of the Committee on Committees

Chairman of Committee on Judiciary

Chairman of Committee on Government and Military
Affairs

Chairman of Committee on Budget

Chairman of Committee on Revenue

Chairman of Committee on Education
Chairman of Committee on Banking, Commerce and Insurance
Chairman of Committee on Public Works
Chairman of Committee on Agriculture and Recreation
Chairman of Committee on Public Health and Welfare
Chairman of Committee on Miscellaneous Subjects
Chairman of Committee on Salaries and Claims
Chairman of Committee on Labor
Chairman of Committee on Urban Affairs.

All the powers herein conferred on the President shall be exercised, except the authority to sign bills or resolutions passed by the Legislature.

Sec. 3. Member Presides, When. The President shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond adjournment.

Sec. 4. President Calls Legislature to Order: Quorum. The President shall take the chair each legislative day at the hour to which the Legislature shall have adjourned at the last sitting. He shall call the Legislature to order, and a quorum being present, shall proceed in the manner and order prescribed by these rules. A majority of the members elected to the Legislature shall constitute a quorum. (Const. Art. III, Sec. 10.)

Sec. 5. Absence of Quorum. If the President finds that a number less than a quorum is present, he shall so state, and a majority of the members present, if five in number, may compel the presence of all members subject to a call of the Legislature.

Sec. 6. President to Preserve Order. The President shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

Sec. 7. Point of Order, President Decides: Appeal. The President may speak to a point of order in preference to

members, rising from his seat for that purpose, and shall decide the questions of order, subject to an appeal to the Legislature by any member; on which appeal no member may speak more than once, unless by leave of the Legislature.

Sec. 8. Putting Question. The President shall rise to put a question, but he may state it sitting.

Sec. 9. President Shall Sign. The President shall sign, in the presence of the Legislature, while the same is in session and capable of transacting business, all bills and resolutions passed by the Legislature. (Const. Art. III, Sec. 14.) All writs, warrants and subpoenas issued by order of the Legislature shall be under his hand and seal, attested by the Clerk.

Sec. 10. Lieutenant Governor Votes, When. The Lieutenant Governor, when presiding, shall vote only when the Legislature is equally divided. (Const. Art. III, Sec. 10.)

RULE 3

Officers Elected and Their Duties: Recall; Employees, Selection and Duties.

Sec. 1. Nomination and Election. At the commencement of each regular session, the Legislature shall nominate by informal ballot and shall elect by ballot the following officers:

Speaker
Chief Clerk of the Legislature
Assistant Clerk of the Legislature
Sergeant-at-arms
Assistant Sergeant-at-arms
Postmaster
Chaplain

Officers and employees recommended by committee of five members. See 50-111, R.S.Supp.1967.

Sec. 2. Officers, Vote Necessary to Elect. A majority vote of the elected members shall be required for the election of each such officer.

Sec. 3. Recall of Officers. Any officer of the Legislature may be recalled upon a two-thirds majority vote of the members elected to the Legislature, and the vacancy thus created shall be filled by a majority vote of the members.

Sec. 4. Oath of Officers. Each permanent officer shall take an oath to support the Constitution of the United States, and the Constitution of the State of Nebraska, and to discharge faithfully the duties of his office according to the best of his ability.

Sec. 5. Duties of Officers, General. In general the duties of the officers of the Legislature shall be those usual to such officers.

Sec. 6. Speaker, Duties. Rule 2.

Speaker is member of Reference Committee. Rule 14, Sec. 1.

Speaker is member of the Executive Board of the Legislative Council. See 50-401.01, R.S.Supp.1967.

Speaker is co-ordinator for the chairmen of standing committees.

Speaker provides floor leadership so as to expedite Legislative processes.

Sec. 7. Clerk of the Legislature, Duties.

(a) The Clerk of the Legislature shall keep a brief but accurate daily journal of the proceedings of the Legislature. (Const. Art. III, Sec. 11.)

Daily Journal. Rule 8.

(b) The Clerk of the Legislature shall have the responsibility to supervise employees once they are hired.

(c) The Clerk of the Legislature shall print no paper or document, except bills and the daily journal, unless authorized by a majority vote of the elected members of the Legislature.

(d) The Clerk of the Legislature shall make a detailed and itemized report to the Legislature each month, concerning the number of employees, and the amount paid for their services, especially setting out the amount of regular time and overtime, and to whom paid.

(e) The Clerk of the Legislature shall have general charge, except as may be provided by law or by rule, of such parts of the Capitol and its passages as are or may be set apart for the use of the Legislature and its officers and employees.

Sec. 8. Assistant Clerk, Duties. The Assistant Clerk shall, in the absence of the Clerk, be authorized to exercise all of the duties herein prescribed for the Clerk of the Legislature, including the signing of those papers which may require the signature of the Clerk of the Legislature.

Sec. 9. Sergeant-at-arms, Duties. The Sergeant-at-arms shall attend the Legislature during its sittings, to execute the commands of the Legislature from time to time, together with all such processes issued by authority thereof as shall be directed to him by the presiding officer, and shall enforce strictly the rules as they relate to privileges of the Legislative Chamber.

Sec. 10. Assistant Sergeant-at-arms, Duties. The Assistant Sergeant-at-arms shall assist the Sergeant-at-arms and in the absence of the latter, shall perform all of the duties herein prescribed for the Sergeant-at-arms.

Sec. 11. Postmaster, Duties. The Postmaster shall superintend the post office kept in the Capitol for the accommodation of the members, and shall be responsible for the prompt and safe delivery of their mail.

Sec. 12. Chaplain, Duties. The Chaplain shall attend and shall open with prayer each day's sitting of the Legislature.

Sec. 13. Employees, Selection. A committee of five members shall recommend to the Legislature for its approval

and election, employees and their salaries as provided for in Section 50-111 and 50-112, R.S.Supp.1967. All employees shall be selected without reference to party affiliation.

RULE 4

Members: Attendance, Decorum and Debate

Sec. 1. Presence of Members Required. Every member shall be present within the Legislative Chamber during the meetings of the Legislature and shall attend the regular meeting of the standing committee of which he is a member, unless excused by the Legislature or the Committee Chairman. Members who have been excused by the Legislature shall notify their Committee Chairman that they will be absent.

Sec. 2. Presence of Member May Be Compelled. The presence of any member may be compelled, if necessary, by sending the Sergeant-at-arms, or such other person or persons as the membership present may authorize, at the expense of such absent member, unless such excuse for non-attendance is made as the Legislature may judge sufficient; and in that case the expense shall be paid out of the contingent fund.

Call of the Legislature. Rule 9, Sec. 8.

Sec. 3. Absence of Member May Be Explained. Upon the completion of the roll call on the final passage of a bill, any member may explain the absence of any other member, and if requested in writing by the absent member to do so, may state how he would have voted if present, and such statement, if submitted to the Clerk in writing, and containing not more than thirty words, shall be entered in the daily journal.

Sec. 4. Expulsion of Members. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense. (Const. Art. III, Sec. 10.)

Sec. 5. Decorum: Members May Speak Only When Recognized by President. When a member desires to speak

in debate or to deliver any matter to the Legislature, he shall rise from his seat and respectfully address himself to "Mr. President." A member shall speak only when recognized and shall confine himself to the question before the Legislature.

Sec. 6. Decorum: Abusive Language and Interruptions Prohibited. No member shall speak to another who has the floor, except when he may yield to a question, or otherwise interrupt the business of the Legislature. No member shall rise to a question of privilege for the introduction of guests while a member is speaking. No member shall use profane or abusive language when speaking to or about another member.

Sec. 7. Decorum: During Final Reading. Members shall remain in their seats during the Final Reading of a bill and until the vote thereon has been announced, except when excused by the President.

Sec. 8. Transgression of Rules: Call to Order. If any member, in speaking or otherwise, transgresses the rules of the Legislature, the presiding officer shall, or any member may, call him to order, in which case he shall immediately sit down, unless permitted on motion of another member to explain, and the Legislature shall, if appealed to, decide the case without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case requires it, he shall be liable to censure or such punishment as the Legislature may deem proper.

Sec. 9. Call to Order: Words Excepted to Must Be Indicated. If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the Legislature; but he shall not be held to answer, nor be subject to the censure of the Legislature therefor, if further debate or other business shall have intervened.

Sec. 10. Debate: Limitations, Proponent May Close. No member shall speak more than twice, nor for more than ten minutes on each occasion, upon any one question in debate during the same legislative day, without leave of the Legislature, except in explanation, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every other member choosing to speak shall have spoken.

For right of proponent to close debate when previous question ordered, see Rule 10, Sec. 11.

Sec. 11. Explanation of Vote Permitted. A member shall be permitted to explain his vote on roll call upon any question, but such explanation shall be limited to fifty words, and shall not be entered in the daily journal unless the same be submitted to the Clerk in writing.

Sec. 12. Debate: Permanent Record. A verbatim record of all debate and questions on all bills and resolutions, and amendments offered thereto, shall be made, transcribed and preserved, under the direction of the Clerk.

RULE 5

Committees

Sec. 1. Committee on Committees. At the commencement of each session, the Legislature shall elect a Committee on Committees to consist of thirteen members, one at large who shall be chairman, and three from legislative district Nos. 1, 2, 25 through 33, 37 and 46; three from legislative districts Nos. 3 through 14 and 20; three from legislative districts Nos. 15 through 19, 21 through 24, 34 and 35; and three from legislative districts 36 through 49 with the exception of 37 and 46.

Chairman is member of Reference Committee for bills and resolutions. Rule 14, Sec. 1.

Committee on Committees is reference committee on nominations by Governor. Rule 14, Sec. 2.

Sec. 2. Committee on Committees Shall Recommend Standing Committees, Designate Chairmen. The Committee

on Committees, by a majority vote of all of its members, shall recommend to the Legislature for its approval and adoption the following standing committees, each with the number of members as hereinafter set forth, one of whom shall be designated by the Committee on Committees as chairman thereof:

Agriculture and Recreation	8 members
Banking, Commerce and Insurance	8 members
Budget - Appropriation	9 members
Education	8 members
Enrollment and Review	1 member
Government and Military Affairs	8 members
Intergovernmental Cooperation	5 members
Judiciary	8 members
Labor	7 members
Miscellaneous Subjects	8 members
Public Health and Welfare	7 members
Public Works	8 members
Reference	3 members
Revenue	8 members
Rules	5 members
Salaries and Claims	7 members
Urban Affairs	8 members

The Speaker shall not be a member of any standing committee except as provided in section 11 of Rule 5.

Sec. 3. Committee on Committees Shall Select Other Committees. The Committee on Committees shall select, aside from the standing committees of the Legislature, all other committees, except where otherwise ordered by the Legislature. No investigating committee of the Legislature shall be created except by resolution which shall set forth, with supporting statements, the reasons for and purposes of the investigation, and no committee thus established shall function except during the interim between legislative sessions.

Sec. 4. Committee on Committees Shall Arrange and Publish Schedules of Standing Committee Hearings. The

Committee on Committees shall arrange and publish a schedule of regular standing committee meetings, in such manner as to avoid, as far as possible, conflicts in the assignment of members to such committees, and shall cause a copy of such schedule to be posted in some conspicuous place in the Capitol near the Legislative Chamber.

Sec. 5. Enrollment and Review, Privileged Committee.

The Chairman of Enrollment and Review shall be privileged, and shall be in order at any time in reporting bills which have been engrossed for Final Reading and passage. In the absence of the Chairman, the Vice-Chairman of the Judiciary Committee shall assume the duties of the Chairman of Enrollment and Review. The bill drafting service shall have supervision of and provide legal services for the Enrollment and Review Committee.

Sec. 6. Enrollment and Review, Authority to Make Corrections. The Chairman of Enrollment and Review shall have authority, without being required to include the same specifically in his reports and recommendations to the Legislature, in accord with accepted usage:

- a. To correct the spelling of words, to correct erroneous division and hyphenation of words, to capitalize or decapitalize words, and to change numbers from words to figures or from figures to words, in new and independent acts, in the new matter of amendatory acts, in standing committee reports, and in General File, Select File and specific amendments.
- b. To underscore or remove underscoring, as the case requires, in standing committee reports and in General File, Select File and specific amendments.

Chairman of Enrollment and Review to give preference to bills readvanced from General File after having been recommitted from Select File. Rule 12, Sec. 8-d.

Sec. 7. Committee on Salaries and Claims; Filing, Limitation. No claim shall be considered by the Salaries and Claims Committee unless filed and considered by the Sundry

Claims Board within or before the first twenty legislative days of the session, unless otherwise ordered by the Legislature.

Sec. 8. Claims Previously Rejected. The Claims Committee shall not consider any claims heretofore filed with and rejected by the Legislature at two or more previous sessions.

Sec. 9. Committee on Order and Arrangement: Members, Duties. The Committee on Order and Arrangement shall consist of the Speaker of the Legislature: Chairman. Other members: Chairman of the Committee on Committees and the Lt. Governor. It shall be the duty of this committee beginning the twenty-first legislative day to report to the Legislature the order in which bills and resolutions shall be considered on General File. The order so reported shall become effective only upon approval of the Legislature. The committee shall meet subject to call by the Chairman.

Sec. 10. The chairman of each committee shall take into consideration the importance, need for, and passage of the bills referred to his committee and set the bills for hearing accordingly.

Reference Committees:

For bills and resolutions. Rule 14, Sec. 1.

For nominations by Governor. Rule 14, Sec. 2.

For amendment of rules. Rule 17.

Sec. 11. When a member or members of the Legislature are absent because they are incapacitated and unable to serve, or continue to serve, on a committee, the chairman of such committee after a majority vote of the committee shall request one or more temporary appointments as the case may be to fill such vacancy or vacancies. The request shall be made to the Committee on Committees and such Committee shall appoint either the Speaker, or a member from a regular standing committee having eight members to fill such vacancy or vacancies. A temporary appointment

may also be made by the Chairman of the Committee on Committees for only one day when requested by a chairman of a regular standing committee which lacks a quorum. When a member is appointed from an eight-member committee the consent of the member to be appointed shall first be obtained. The temporary appointee shall have the right to vote only on the bill or bills that actually have been heard by the appointee and provided that the vote is taken on such bills on the day the bill or bills are heard. When such appointment is made in case of an incapacitated member or members, such appointee shall cease to be a member of such committee upon the return of the incapacitated member for whom he was appointed.

RULE 6

Committee Hearings and Reports, Officers

Sec. 1. Vice-Chairmen. Each standing committee shall elect from its membership a vice-chairman to serve in the absence of the chairman.

Chairmen designated by Committee on Committees. Rule 5, Sec. 2.

Enrollment and Review Vice-Chairman is Vice-Chairman of Judiciary. Rule 5, Sec. 5.

Sec. 2. Committee Hearings, Time. Standing committees shall meet at 2:00 p.m., unless otherwise ordered by the Legislature. Any Committee Chairman before deciding not to hold committee meetings or a committee meeting on an assigned day, must receive permission from a majority of the Reference Committee.

Sec. 3. Committee Hearings, Notice. Before taking final action on a bill or resolution, a committee shall hold a public hearing thereon and shall give at least five calendar days' notice, by publication in the Legislative Journal, of the date and time of said hearing. Committee chairmen

shall make rules concerning length of public hearings but no rebuttal shall be for more than ten minutes.

Reference committee exception. Rule 14, Sec. 1.

Sec. 4. Committees May Combine and Correlate Bills, Adopt Amendments. Standing Committees shall be authorized to combine and to correlate the provisions of different bills referred to them and related to the same subject under the number of one of the correlated bills, and may, before taking final action on any bill, adopt amendments thereto, for the consideration of the Legislature.

Sec. 5. Record of Committee Proceedings. Each standing committee shall keep a record of its proceedings. Any two members of the committee may demand a roll call upon the reporting of any bill, or upon amendments thereto. The vote so taken shall be made a part of the committee report, and shall be entered in the daily journal.

Sec. 6. Committees Shall Report Promptly. Standing committees shall consider and report without unnecessary delay all bills and resolutions referred to them.

Sec. 7. Legislature May Request Committee Report or to Advance Bill. Except for the general appropriation bills necessary for the support of the state government for the bien-nium, the Legislature may, by vote of a majority of the elected members, request a report from any standing committee at any time after said committee shall have been in possession of a bill or resolution for twenty legislative days.

Any Senator may move that a bill be placed on General File twenty days or more after the committee hearing, and by a vote of a majority of the elected members, said bill shall be placed on General File.

When the introducer of a bill attempts to take a bill from committee to be placed on General File, the bill shall stand Indefinitely Postponed if the motion fails to receive a majority vote of the members elected to the Legislature.

Sec. 8. Committee Reports Must Recommend Bills for General File or Indefinite Postponement: Majority Vote of Members at Regular Meeting Required. In reporting bills to the Legislature, whether with or without amendments, a standing committee shall, by vote of a majority of its members, recommend (a) that the bill be placed on General File for the consideration of the Legislature, or (b) that the bill be Indefinitely Postponed. Such action shall be taken at regularly scheduled committee meetings only. A report on a bill or resolution must be made to the Legislature within eight calendar days after the committee has acted upon the particular measure.

Sec. 9. Effect of Committee Report to Postpone Indefinitely. If the standing committee report on a bill be to postpone indefinitely, the bill shall stand Indefinitely Postponed; Provided, that such bill may be placed on General File or referred back to the standing committee by a majority vote of all the elected members upon motion made within three legislative days after the committee makes its report to the Legislature, or by a two-thirds vote of all elected members upon motion made more than three legislative days after such committee report. Not more than one bill shall be raised from committee on any one motion. A motion to raise cannot be amended to include any other bill or subject matter. A motion to raise must be disposed of by the Legislature within five legislative days after making the same or it shall be deemed defeated. Consideration of motions pending shall be included in the regular order of business following resolutions.

Sec. 10. Committee Reports, Statements and Amendments: Minority Report. Each standing committee shall, when reporting a bill, submit therewith a brief statement of the main purpose of the bill, and, if recommended to General File, a copy of all amendments recommended by the committee. Such statement shall give the committee's reason for so reporting, and the minority view, if such there be, shall also be given. Copies of such statements and amendments shall be furnished to the members.

Sec. 11. Executive Sessions. Members and reporters of regularly accredited newspapers, press associations, and radio and television stations shall be admitted to executive sessions of the standing committees, and such reporters and the members of such committees shall respect as confidential the discussions and voting of the other members of any standing committee.

RULE 7

Order of Business

Sec. 1. Hour of Meeting and Adjournment. The Legislature shall meet each legislative day at 9:00 a.m., and adjourn not later than 1:00 p.m., unless otherwise ordered by a majority vote of its members present and voting thereon.

Sec. 2. Order of Business. The order of business of the Legislature shall be as follows:

- a. Prayer by the Chaplain
- b. Roll call
- c. Call for correction of the journal
- d. Petitions and memorials
- e. Notice of committee hearings
- f. Bills on Final Reading
- g. Reports of standing committees
- h. Reports of select committees
- i. Resolutions
- j. Introduction of bills
- k. Bills on First Reading by title
- l. Reference of bills to committees on a day subsequent to First Reading
- m. Consideration of bills on Select File
- n. Motions to reconsider
- o. Motions to advance bills from committee
- p. Other pending motions
- q. Unfinished business, including messages on the President's desk
- r. Special order of the day

- s. Consideration of bills on General File
- t. Miscellaneous business

Sec. 3. Messages From the Governor, Preference. Messages from the Governor may be received at any stage of the proceedings, except when a question is being put, the yeas and nays are being called for, the ballots are being counted, or a question of order or a motion to adjourn is pending.

Sec. 4. Special Order of the Day, Effect of Adjournment. When a bill shall have been made a special order for a definite time and an adjournment shall intervene for a time beyond the time fixed for such special order, then in that event the bill so made a special order shall be placed in its order on General File.

Sec. 5. Unfinished Business, Effect of Adjournment. The unfinished business in which the Legislature was engaged at the adjournment of the last preceding sitting shall have preference in the special order of the day.

Sec. 6. Legislative Days. Each day except Saturday and Sunday shall be considered a legislative day, unless otherwise specifically ordered by the Legislature, by a majority of the members present and voting thereon.

RULE 8

Daily Journal

Sec. 1. Journal Prepared by Clerk, Furnished to Members; Corrections. A daily journal of the proceedings of the Legislature, as prepared by the Clerk, shall be printed and placed each day upon the desks of the members; and the presiding officer shall call in the regular order of business for corrections thereof. After corrections, if any, are made, the journal shall stand approved without motion.

Sec. 2. Journal Entries. The Clerk shall enter in the daily journal messages of the Governor in full; titles of bills;

every vote, including the yeas and nays, and a brief statement of the contents of each resolution, petition, and memorial or other paper presented for the consideration of the Legislature.

Constitutional amendments printed in journal. (Const. Art. XVI, Sec. 1.)

Sec. 3. Title, Parts of Bills Entered in Journal. In addition to the title, only such parts of a bill as shall be affected by proposed amendments shall be entered in the daily journal.

Sec. 4. Amendments Offered, But Not Adopted, Not Entered: Exception. In the consideration of bills on General or Select File, amendments offered but not adopted shall not be entered in the journal except where a record vote is demanded.

Sec. 5. Hour of Adjournment Entered. The hour at which the Legislature adjourns shall be entered in the daily journal.

Sec. 6. Additional Copies for Members. Additional copies of the daily journal, to be mailed at his direction, shall be supplied for the use of each member, in such manner as shall be provided by the Legislature.

Sec. 7. Bound Journal, How Printed. The bound journal of the session shall be printed from the corrected daily journal.

Journal, cross references:

Yeas and nays entered in journal at request of any member. (Const. Art. III, Sec. 11.)

Yeas and nays on final passage of bill shall be published in the journal. (Const. Art. III, Sec. 13.)

Explanation of absence and statement of how absent member would have voted. Rule 4, Sec. 3.

Explanation of vote. Rule 4, Sec. 11.

Committee reports. Rule 6, Sec. 5.

Only totals of machine vote entered. Rule 9, Sec. 3.

Notice of committee hearings must be published. Rule 6, Sec. 3.

RULE 9**Manner and Record of Voting**

Sec. 1. Votes Taken Viva Voce: Form of Question. All votes shall be taken viva voce. Questions shall be distinctly put in this form, to wit: "Those who are in favor of the question say 'aye'; those who are opposed to the question say 'no'".

Sec. 2. Yea and Nay Vote Required on Final Passage of Bill: Applies to Resolution, When. Upon the final passage of a bill, or of a resolution if the same requires the same consideration as a bill, the vote shall be by yeas and nays, and this rule shall not be suspended.

Sec. 3. Machine Vote, When. If a machine vote is called for, or if the presiding officer is in doubt, he shall cause the result to be obtained by means of the electric roll call system; and only the totals shall be printed in journal.

Sec. 4. Record Vote, Member May Demand. Any member may call for a record vote upon any question (Const. Art. III, Sec. 11), and upon declaration of the yeas and nays by the members, the record thereof shall be made and taken upon the electric roll call system, unless the Legislature by a majority vote decides that a roll call shall be taken.

Sec. 5. For Yeas and Nays and Call of House. Vote on Electric System: Limitation on Time to Vote. In taking the yeas and nays and upon call of the Legislature, the members shall register their vote upon the electric roll call system. When the yeas and nays are taken upon any question in the manner heretofore indicated, no member shall be permitted to vote after the decision is announced from the chair.

Sec. 6. When More Than Majority Vote Necessary, Electric System Used. In all instances where the vote, necessary to adopt a motion or other proposition, is other than that of a majority voting upon the question, the presiding officer shall, unless the Legislature by unanimous vote

decides otherwise, cause the result thereof to be obtained by means of the electric roll call system. In such case, no member shall be permitted to vote after the yeas have been announced by the Clerk. Votes not registered on the electric roll call system or given to the Clerk by voice shall not be counted for or against a proposition.

Sec. 7. Member May Demand Verification of Vote. Any member may demand verification of the vote on roll call; Provided, that on the final passage of bills verification shall always be made.

Sec. 8. Call of the Legislature. A call of the Legislature must be seconded by at least five members. Thereupon, and upon call of the presiding officer, each member present shall indicate his presence upon the electric roll call system and shall remain in his seat during the call. After the Clerk shall note the names of the absentees, proceedings under the call may be suspended at any time by a majority vote of the members elected, and when so suspended shall not again be ordered on the proposition pending, except by a majority vote of the members present and voting thereon. When the Legislature has been under call for fifteen minutes, and if all absentees were to vote on one side of the question, and if their combined vote would be insufficient to change the result of the vote, the President shall declare the call raised.

Voting, cross references:

Lieutenant Governor votes only when Legislature equally divided. Rule 2, Sec. 10.

Explanation of vote. Rule 4, Sec. 11.

RULE 10

Motions and Their Precedence

Sec. 1. Statement of Motions. When a motion has been made and seconded, the presiding officer shall state it, or being in writing, shall cause it to be read aloud by the Clerk before being debated.

Sec. 2. Motions Must be Written, When. Every motion shall be reduced to writing if the presiding officer or any member desires it.

Sec. 3. Withdrawal or Modification of Motions. After a motion has been stated by the presiding officer, or read by the Clerk, it shall be deemed in possession of the Legislature, but may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.

Sec. 4. Motions Received When Questions Under Debate: Precedence. When a question is under debate no motion shall be received but:

- a. To adjourn.
- b. To lay on the table.
- c. For the previous question.
- d. To postpone to a certain time.
- e. To commit.
- f. To amend.
- g. To postpone indefinitely.

Such motions shall have precedence in the order in which they are arranged; except that motions to postpone indefinitely and amend do not yield to each other. No motion to postpone to a certain time, to commit or to postpone indefinitely being decided, shall again be allowed on the same day at the same stage of the bill or proposition.

Sec. 5. Motion to Strike Enacting Clause; Effect, Precedence. A motion to strike the enacting clause of a bill, if carried, is equivalent to rejection of the bill. Such motion shall not have precedence over a motion to amend nor over a motion to postpone indefinitely.

Sec. 6. Motion to Adjourn, Adjourn to Time Certain, to Recess: Precedence. A motion to adjourn, or a motion to fix the day to which the Legislature shall adjourn shall always be in order, except:

- a. While a member is speaking.
- b. When a motion to adjourn has just been defeated.
- c. When a motion to fix the day to which the Legislature shall adjourn has just been defeated.
- d. After the Final Reading of a bill and during roll call thereon.

Provided, however, that a motion to adjourn to a time certain shall have precedence over a motion to adjourn; and provided further, that a motion to recess shall take precedence over either of such motions.

Sec. 7. Motion to Adjourn Pending Motion to Suspend Rules. Pending a motion to suspend the rules, the presiding officer may entertain one motion to adjourn, but after the result thereon is announced he shall entertain no other motion until the vote has been taken on suspension.

Sec. 8. The Previous Question, Form. The previous question shall be in this form, "Shall the debate now close?"

Sec. 9. The Previous Question: Seconds Required, Vote Necessary, Effect. The previous question shall be in order when demanded by five or more members and must be sustained by the vote of a majority of the elected members, and until decided shall, except as provided in Section 11 of this rule, preclude further debate and all amendments and motions, except one motion to adjourn and one motion to lay on the table.

Sec. 10. Previous Question Undebatable. On a previous question there shall be no debate. All incidental questions of order, arising after a motion is made for a previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

Sec. 11. Previous Question Ordered: Proponent to Close Debate. When the previous question shall have been ordered on a proposition under debate, the mover, proponent or introducer of such proposition shall be given the right to close the debate thereon.

Sec. 12. Questions of Privilege. What Are. Questions of privilege shall be, first, those affecting the rights of the Legislature collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence over all other questions, except motions to adjourn. Questions of privilege shall not be used to permit any discussion or debate pertaining to any measure pending before the Legislature. All questions of privilege shall be channeled through the presiding officer and the reason for such stated. The decision of order of permission shall be made by the presiding officer.

Question of privilege is not in order for introduction of guests while member speaking. Rule 4, Sec. 6.

Sec. 13. Reconsideration: Who May Move, Time for Motion. When a question has been decided, it shall be in order for any member voting with the prevailing side, or not voting, to move a reconsideration thereof. A motion to reconsider must be made on the same day the original question was decided or on the next legislative day, except when it be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading. In such case, it must be made on the same day the original question was decided or on one of the next three legislative days. A motion to reconsider must be disposed of by the Legislature within 5 days after making the same or it shall be deemed defeated. If the Legislature shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent.

Motion to reconsider cannot be withdrawn without leave. Rule 10, Sec. 3.

Sec. 14. Reconsideration, Precedence. Every motion to reconsider shall take precedence over all other questions, except a motion to adjourn.

Sec. 15. Reconsideration, Vote Necessary. For its adoption, a motion to reconsider shall require the vote of a majority of the elected members, except:

- a. Where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading, then a three-fifths vote shall be required for adoption.
- b. Where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading with the emergency clause attached, but which received the constitutional majority with the emergency clause stricken and the purpose of the motion is to again add the emergency clause, then a two-thirds vote of the elected members shall be required for adoption.

Sec. 16. Amendments in Order. When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order.

Sec. 17. Amendment to Title of Bills. Amendments to the title shall not be in order during the consideration of a bill or resolution on General or Select File until the bill or resolution shall have been considered in full.

Sec. 18. Amendment Laid on Table Does Not Carry Principal Measure. When an amendment proposed to any pending measure is laid on the table, it shall not carry with it or prejudice such measure.

Sec. 19. Amendments, Preference in Consideration. When the Legislature is considering bills on either General or Select File, after giving consideration to standing committee amendments, it shall give preference to such amendments as may have been on file with the Clerk, with copies on the members' desks for one legislative day in advance, and then to such other amendments as have been deposited with the Clerk, in the order in which they were received by him.

Sec. 20. Amendments, Must Be Germane. No motion, proposition or subject, different from that under consideration, shall be admitted under color of amendment.

Sec. 21. Division of a Question, When. Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out, being lost, shall not preclude an amendment or a motion to strike out or insert.

Sec. 22. No bill shall be divided into two or more bills.

RULE 11

Bills—General Provisions

Sec. 1. Introduction. Upon call for the introduction of bills, any member or any standing committee to which bills are referred for consideration may introduce one or more bills. No bill shall be introduced unless it has been approved as to form and draftsmanship by the legislative bill drafter. The name of the introducer shall be followed by the number of his legislative district. During the general meeting of the Legislative Council in November preceding each legislative session, a procedure shall be worked out whereby a reelected Senator agrees to introduce the Revisor of Statutes' correctional bills early in the session. The Clerk of the Legislature shall have these bills printed, with the exception of the title page, and ready for introduction when the Legislature convenes.

Sec. 2. Introducer Must Be Willing to Support. Members shall introduce only such bills as they are willing to endorse and support personally.

Sec. 3. Time for Introduction, Limitation, Fiscal Notes. No bill shall be introduced after the twentieth legislative day, except upon recommendation of the Governor or by a majority of the members of a standing committee whose names shall be affixed to the bill and upon the vote of three-fifths of the elected members of the Legislature. After January 1,

no bill shall be drafted by the bill drafter unless requested or authorized by a member of the legislature.

Before an individual member may apply to a committee for introduction of a bill, he must first submit the bill to the Reference Committee; the Reference Committee shall determine which committee of the Legislature the subject of the bill is germane to. The bill shall then be submitted to the committee designated by the Reference Committee. A standing committee shall not recommend a bill for introduction unless the subject matter of the bill is germane to the subjects assigned to such committee.

A copy of intent of a bill recommended for introduction by a committee must be placed on each member's desk before such introduction of bill is voted upon.

Every bill may have attached to it a brief explanatory statement which shall contain either a reliable estimate of the anticipated change in state expenditures or revenues under its provisions or an estimate that no change is anticipated. These statements shall be known as "fiscal notes", and shall be, when prepared, attached to the bill and so remain during its consideration by the Legislature.

A copy of every bill, when recommended by a committee to be placed on General File, together with the committee amendments recommended thereto, and a copy of every bill, when referred by the Reference Committee directly to General File, may be transmitted by the Clerk to the Office of Legislative Fiscal Analyst for obtainment of such fiscal note when requested by the Chairman of the Committee hearing the bill or by any member after the bill has been advanced to General File.

The copies of said bills transmitted to the Office of Legislative Fiscal Analyst for fiscal notes shall be further transmitted by said Office to the board, commission, department, agency or other state entity which is to receive or expend the appropriation proposed or which is responsible for collection of the revenue proposed to be increased or decreased or to be levied or provided for, and the fiscal note shall be prepared

by said board, commission, department, agency, or other entity and returned to the Office of Legislative Fiscal Analyst within five calendar days thereafter. The Office of Legislative Fiscal Analyst shall then confer with the Budget Division of the Office of Tax Commissioner and shall secure from said office its agreement or its exceptions to the estimate made by the aforementioned entity of state government and shall append thereto the agreement with or exceptions of the Office of Legislative Fiscal Analyst to said fiscal note.

The agreement or exception to the Budget Division of the Office of the Tax Commissioner shall be made and considered as a part of the fiscal note. The fiscal note shall be delivered to the Clerk within ten calendar days of receipt by the Office of Legislative Fiscal Analyst of a copy of the bill for obtaining of a fiscal note, and the Clerk shall attach the fiscal note to the bill and to all copies of the bill prepared for members.

The note shall be factual in nature, as brief and concise as may be, and shall if possible provide a reliable estimate in dollars and, in addition, it shall include both the immediate effect and, if determinable or reasonably foreseeable, the long range effect of the measure. If, after investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given.

No comment or opinion shall be included in the fiscal note with regard to the merits of the measure for which the note is prepared; however, technical or mechanical defects may be noted.

The subject matter of bills submitted to boards, commissions, departments, agencies or other entities of the state by the Fiscal Analyst shall be kept in strict confidence by said agencies and by the Office of Fiscal Analyst together with the content of the fiscal note itself and no information relating thereto shall be divulged by any official or employee prior to its introduction in the Legislature.

Sec. 4. Bills, How Designated. A bill shall be designated as Legislative Bill —.

Sec. 5. Bill Must Contain Only One Subject: Amendment of Laws. No bill shall contain more than one subject, and the same shall be clearly expressed in the title. And no law shall be amended unless the new act contains the section or sections as amended, and the section or sections so amended shall be repealed. (Const. Art. III, Sec. 14.)

Sec. 6. Amendatory Bill, How Printed. An amendatory bill or constitutional provision shall be so prepared and printed as to show the new matter proposed, old matter to be retained, and old matter to be omitted from the Statutes or Constitution.

Sec. 7. Bills Must Be Engrossed Before Final Reading. All bills, before being advanced to Final Reading and passage, shall be engrossed by typewriter, and if amended, shall be reprinted in the manner prescribed in the preceding section, and copies thereof shall be supplied for the use of members.

Sec. 8. Bills Must Receive Two Readings Before Passage. Every bill and resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member, and the bill and all amendments thereto shall be printed and read at large before the vote is taken upon its final passage. (Const. Art. III, Sec. 14.)

Sec. 9. Vote Required to Expend Money or Change Compensation. It shall require the vote of a majority of the members elected to expend money by the Legislature or to change the compensation of any officer or employee.

Sec. 10. Withdrawal of Bills. No bill, having been introduced, may be withdrawn except upon motion of the first introducer with the consent of his co-introducers. Such motion, when made, shall not be considered prior to the next succeeding legislative day, and, for its adoption, shall require the affirmative vote of a majority of those voting upon the question.

RULE 12**Bills—Stages in Consideration****Sec. 1. Introduction and First Reading.**

Introduction. Rule 11, Secs. 1, 2.

Time for introduction. Rule 11, Sec. 3.

First Reading. Rule 11, Sec. 8.

Sec. 2. Reference to Standing or Select Committee.

Reference committee. Rule 14, Sec. 1.

Readings. Rule 11, Sec. 8.

**Sec. 3. Consideration by Standing or Select Committee,
Together With Desired Committee Hearings.**

Committee hearings. Rule 6, Secs. 2-5.

**Sec. 4. Report by Standing or Select Committee and
Reference to General File.**

Committee reports. Rule 6, Secs. 6-10.

Effect of committee report to postpone indefinitely. Rule 6,
Sec. 9.

**Sec. 5. General File: Reading, Consideration and Gen-
eral Debate by the Legislature.**

- a. Each section shall be open to amendment as read, and the amendments, if any, recommended by the standing committee, shall first be considered for adoption or rejection, after which other amendments may be offered.

Amendments. Rule 10, Secs. 16-20.

- b. Bills shall be listed and considered on General File in the order in which they shall be reported from the standing committees, except as modified by the Committee on Order and Arrangement; Provided, that any bill that comes up for debate for a second time, with the introducer present, shall be placed at the bottom of General File if said introducer asked for further time. And no change shall be made in such

order, except by a majority vote of the elected members.

- c. The general appropriation bills, necessary for the support of the state government for the biennium, shall take precedence over all other bills on General File.
- d. At any time during consideration of bills on either General or Select File, any member may move that the bill be passed over, and if the motion is carried by a majority of those voting, the bill shall be passed over and shall retain its place on the File. This motion shall have the same precedence as to lay on the table.
- e. In the event a motion to Indefinitely Postpone a bill is made before the bill is read on General File, such motion shall require the affirmative vote of a majority of the elected members.

Sec. 6. Reference to Enrollment and Review. Advancement to Enrollment and Review for recommendations relative to arrangement, phraseology and correlation, unless Indefinitely Postponed or recommitted to a standing committee. Advancement to Enrollment and Review from General File for such purpose shall require a majority of those voting, but there must be a minimum of eighteen affirmative votes.

Sec. 7. Report by Chairman of Enrollment and Review and Reference to Select File.

Enrollment and Review report. Rule 5, Sec. 6.

Sec. 8. Select File. Consideration by the Legislature, in review on Select File, wherein any of the following motions shall be in order:

- a. A motion to approve or reject any or all of the changes recommended by the Chairman of Enrollment and Review.

- b. A motion to adopt a unanimous consent amendment, to which no objection shall be offered. When a motion is made to adopt a unanimous consent amendment, the mover shall be required to explain the amendment sought.
- c. A motion to recommit to the proper standing committee.
- d. A motion to recommit to General File for one or more specific amendments. If such a motion is adopted, the bill shall be transferred forthwith to the head of the General File where consideration of the specific amendment shall be the first order of business on that File. After disposition of the amendment, the bill may be readvanced to Enrollment and Review for review, amended further, Indefinitely Postponed, or recommitted to the proper standing committee. If the bill is readvanced, it shall be given prior consideration by the Chairman of Enrollment and Review and returned to the Select File as soon as possible and placed at the head of that File; Provided, if the bill is not amended, Indefinitely Postponed, or recommitted, it may be advanced to Enrollment and Review for engrossment.

Effect of passing over bill. Rule 12, Sec. 5d.

- e. A motion to postpone indefinitely.
- f. Motions made pursuant to subsections c, d and e hereof may be adopted only upon the affirmative vote of a majority of the elected members.

No bill shall be considered initially on Select File until three legislative days after its advancement from General File to Enrollment and Review; Provided, that the amendments so recommended shall not be read by the Clerk except upon the request of a member of the Legislature.

Notwithstanding any other provision contained in this section, if the Enrollment and Review Committee returns a bill to Select File from engrossment, then only the specific enrollment and review amendments may be considered.

Sec. 9. Advancement to Enrollment and Review for Engrossment, Unless Recommitted to a Standing Committee or Indefinitely Postponed.

Sec. 10. Report by Chairman of Enrollment and Review and Reference to Final Reading File, or to Select File for Specific Amendment.

Bills must be engrossed before advancement to Final Reading. Rule 11, Sec. 7.

Sec. 11. Conditions Precedent to Placing Bill on Final Reading. No bill shall be placed upon Final Reading and passage until:

- a. Five legislative days after the initial reference to Enrollment and Review.
- b. Two legislative days after its reference to Final Reading file.
- c. Printed copies of the bill in its final form, as amended, shall have been available to members and on their desks for at least one legislative day. (Const. Art. III, Sec. 14.)

Sec. 12. Final Reading. Consideration on Final Reading and passage when the bill shall be read at large with all amendments thereto before the vote is taken (Const. Art. III, Sec. 14); Provided, that at any time before the roll call shall have begun on Final Reading of the bill, it shall be in order to move:

- a. To recommit the bill to Enrollment and Review to correct an error and for re-engrossment.
- b. To recommit the bill to the proper standing committee, with or without instructions.
- c. To recommit the bill to Select File for specific amendment, which amendment may be adopted by a vote of a majority of the elected members; Provided, however, if the proposed amendment be to add the emergency clause, it may only be adopted by a vote of two-thirds of the elected members.

Members must be in their seats during Final Reading. Rule 4, Sec. 7.

Sec. 13. Question After Final Reading: Emergency Clause. The question after the Final Reading of a bill shall be: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'" If the emergency clause is contained in the bill, the words "with the emergency clause attached" shall be added to the question.

Sec. 14. Emergency Clause: Failure to Receive Constitutional Majority; Effect; Question. When a bill containing the emergency clause does not receive the required two-thirds constitutional majority on Final Reading, then the emergency clause shall be considered stricken, and the bill without the emergency clause shall be pending on Final Reading, and the question then shall be, "Shall the bill pass with the emergency clause stricken?" (Const. Art. III, Sec. 27.)

Sec. 15. Governor's Veto, Consideration. Upon the day of receipt of a message from the Governor announcing his veto of a bill, or on either of the next five legislative days, any member may move that the bill so vetoed be taken up for passage. Whereupon, the question shall be, "Shall the bill pass, notwithstanding the objection of the Governor?"

Three-fifths vote of the elected members required to pass bill over Governor's veto. (Const. Art. IV, Sec. 15.)

The Governor may disapprove any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, unless repassed in the manner prescribed in case of disapproval of bills. (Const. Art. IV, Sec. 15.)

RULE 13

Petitions and Memorials

Sec. 1. Petitions, Memorials and Other Papers Referred to Committees. Every petition, memorial, or other paper shall be referred to the proper committee without putting a question for that purpose, unless the reference be objected to by a member at the time such petition, memorial or other

paper is presented, in which case the Legislature shall decide the question of reference.

Sec. 2. Introducer may make statement. Before any petition or memorial addressed to the Legislature is received and read at the table, whether the same be presented by the presiding officer or a member, a brief statement of the contents of the petition or memorial may be verbally made by the introducer.

Sec. 3. Communications, When Read. No communications or letters shall be read by the Clerk of the Legislature unless authorized by a majority of the Reference Committee.

Rule 14

Questions and Reference

Sec. 1. Reference Committee for Bills and Resolutions, Who Constitutes. The Lieutenant Governor, the Speaker, and the Chairman of the Committee on Committees shall constitute the Reference Committee for the assignment of bills and resolutions to the various standing committees. The Reference Committee shall either refer bills to standing committees or place them on General File. Those placed on General File will be bracketed for five days, and if one senator requests a public hearing on one or more of these bills, they will then be referred to a committee. Bills on General File for which public hearings have not been requested will be handled as all bills on General File.

Sec. 2. Nominations by Governor Referred to Committee on Committees. All nominations made to the Legislature by the Governor, requiring confirmation by the Legislature, shall be referred to the Committee on Committees, and the same procedure shall be followed as governs the handling of other matters before standing committees, unless the Legislature shall otherwise direct by unanimous vote.

Sec. 3. Members May Object to Reference. Any member may object to the reference of any bill or other propo-

sition, and correction in case of error in reference may be made by the Legislature on any legislative day, immediately following corrections of the daily journal, by unanimous consent, or by the vote of a majority of the elected members.

Sec. 4. Motions for Reference: Preference. When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be put first.

Proposed amendments to rules referred to Rules Committee. Rule 17.

Sec. 5. Statement of Purpose by Introducer. Immediately upon the referral of any bill to a standing committee, the first introducer of the bill shall prepare and submit to the committee a statement in writing setting forth the reason for the bill and the purposes sought to be accomplished thereby. Such statement shall be incorporated into the committee records. No bill shall be reported to the Legislature by a committee whether the bill is Indefinitely Postponed or advanced to General File, unless such a statement has been submitted by the introducer of the bill.

RULE 15

Resolutions

Sec. 1. Resolutions: How Designated. A resolution shall be designated as Legislative Resolution —.

Sec. 2. Resolutions Proposing Constitutional Amendments, Granting Money, or Requiring Governor's Approval: Consideration and Adoption. Resolutions which propose amendments to the state constitution, propose the ratification of amendments to the federal constitution, provide for the grant of money out of the contingent or any other fund, or require the approval of the Governor, shall be considered and adopted in the same manner as bills. (Const. Art. III, Secs. 13, 14; Art. XVI, Sec. 1.)

Sec. 3. Resolutions Proposing Legislative Council Studies Reference. Resolutions which propose that studies be made by the Legislative Council shall be first referred to the Executive Board of the Legislative Council, this Board to submit a report with each resolution recommending that the proposed study be made or rejected.

Sec. 4. Resolutions Laid Over One Legislative Day. All other resolutions, except by the unanimous consent of the members present and voting, shall lie over for consideration until the next legislative day.

Sec. 5. Resolutions; Reference to Committee; Vote Necessary for Adoption. When called for consideration on the next legislative day after its introduction, any such resolution shall be referred to the proper standing committee, if as many as five members object to its consideration at that time. The vote of a majority of the elected members shall be required for the adoption of any such resolution.

Sec. 6. Effect of Committee Report to Indefinitely Postpone. If the standing committee report on a resolution be to postpone indefinitely, the resolution shall stand Indefinitely Postponed; *Provided*, that such resolution may be considered by the members of the Legislature or referred back to the standing committee by a majority vote of all the elected members upon motion made within three legislative days after the committee makes its report to the Legislature, or by a two-thirds vote of all elected members upon motion made more than three legislative days after such committee report. Not more than one resolution shall be raised from committee on any one motion. A motion to raise cannot be amended to include any other resolution or subject matter.

RULE 16

Privileges of the Floor

The floor of the Legislative Chamber shall consist of that part of the Legislative Chamber forward from the row of

desks or dividing line back of the last row of Senators including the space under the balcony on either side adjacent thereto.

No person shall be admitted to the floor of the Legislature, as described in this rule, except the following:

Members of the Legislature, officers and employees,
including the bill drafter and employees of the Legislative Council

State officers, their deputies and clerks

Judges of the Supreme Court

Judges of the District Courts

Senators and Representatives in Congress

Reporters of regularly accredited newspapers and broadcasting stations.

No one shall be permitted to be seated beside members of the Legislature except members of their immediate families upon permission from the chair. When bills are being read on Final Reading, no one shall be permitted to be seated beside members of the Legislature.

No person, other than those hereinbefore excepted, shall be admitted to the members' cloak room or post office, unless accompanied by a member.

The space directly back of the seated Senators shall be reserved for members of the families of the Governor, Lieutenant Governor, and members of the Legislature, state officers, their deputies and clerks, and visitors. Any other person or persons may be seated in this reserved space when accompanied by a Senator.

Any representative of a newspaper, press association, or radio or television station assigned to cover the Legislature, who flagrantly or persistently violates the ethics of news reporting by assuming the facts without regard for accuracy may be denied the privilege of the Legislative Chamber on a majority vote of the members elected to the Legislature. Such action shall be brought by the Rules Committee and

no action may be brought until after a full hearing has been held on the charges.

No printed or written material of any nature may be placed on the desks of the members or distributed to them in the Legislative Chamber, unless such material clearly indicates on its face the party or parties responsible for its distribution. The distribution must be approved by at least one member of the Legislature.

RULE 17

Suspension and Amendment of Rules

These rules may be suspended by a two-thirds majority vote of the elected members, and may be amended by a three-fifths majority vote of the members elected; Provided, any proposed amendment must first be referred to the Committee on Rules for consideration and report.

LEGISLATIVE JOURNAL

SEVENTY-NINTH (EXTRAORDINARY) SESSION

FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Monday, December 9, 1968

Pursuant to a proclamation by His Excellency, Norbert T. Tiemann, Governor of the State of Nebraska, the Seventy-ninth (Extraordinary) Session of the Legislature of Nebraska assembled in Legislative Hall of the Capitol Building at the hour of 9:00 a.m., December 9, 1968, and was called to order by President John E. Everroad.

Prayer was offered by Dr. Robert Palmer, Chaplain.

Prayer

Eternal God, our Father, as we open this special session of the legislature, may we begin it as friends, and may we conclude it as friends, with a deeper mutual respect, resulting from our varying points of view.

May we have the basic common goal of serving the people of this state and nation, and the desire for peaceful relations throughout the world. Yet may we have varying points of view, rigorous sessions of debate, conflicting expressions of opinion, that we may the better arrive at our common goals.

Wilt Thou therefore bless our Governor, our state officials, the officers of this senate and each member, that they may use to the maximum their creative intelligence, but be led of Thee along the confusing pathways toward the goal which lies before us.

In our Lord's name, we pray. Amen.

The roll was called and the following members were present:

Adamson, Elvin	Burbach, J. W.	Elrod, Donald
Batchelder, Clifton B.	Carpenter, Terry	Ely, Richard L.
Brauer, S. H. Sr.	Carstens, Fred W.	Fleming, George H.
Budd, Rick	Danner, Edward R.	Gerdes, George C.

Harsh, Lester	Marvel, Richard D.	Skarda, William R.
Hasebroock, W. H.	Matzke, Stanley A.	Stryker, Harold B.
Holmquist, C. W.	Moulton, C. F.	Swanson, William F.
Hughes, Calista Cooper	Moylan, Harold T.	Syas, George
Johnson, E. Thome	Nore, Herb	Waldo, Willard H.
Kjar, Albert A.	Orme, Fern Hubbard	Waldron, J. James
Klaver, Sam	Payne, Dale L.	Wallwey, Elmer
Kokes, Rudolph C.	Pedersen, Henry F., Jr.	Warner, Jerome
Kremer, M. A.	Reynolds, Florence	Wenzlaff, Theodore C.
Luedtke, Roland A.	Robinson, Leslie	Whitney, Ramey C.
Mahoney, Eugene T.	Simpson, Harold D.	Wylie, William M.

Members Excused

Messrs. Proud and Viehmeyer were excused. Mr. Bloom was excused until 9:45 a.m. and Mr. Knight was excused until 10:30 a.m.

DECLARATION

Members of the Legislature:

Pursuant to a proclamation issued by the Honorable Norbert T. Tiemann, Governor of Nebraska, we are here and now assembled in the 79th (Extraordinary) Session of the Nebraska Legislature. I, as President, declare that we are now open for the transaction of business.

(Signed) John E. Everroad
Lieutenant Governor

PROCLAMATION

BY VIRTUE OF THE AUTHORITY VESTED in the Governor by Section 8, Article IV, of the Constitution of Nebraska, I, Norbert T. Tiemann, as Governor of the State of Nebraska, believing that an extraordinary occasion has arisen, DO HEREBY CALL the Legislature of Nebraska to convene in extraordinary session at the State Capitol on December 9, 1968, at nine o'clock a.m., for the purpose of considering and, if deeming it advisable, enacting legislation relating to the following subjects:

1. The amendment of Section 50-123.01, Reissue Revised Statutes of Nebraska, 1943, as amended, relating to salaries of members of the Legislature.
2. The amendment of Section 77-2703(1), R. S. Supp., 1967, to provide that the sales and use tax rate will remain at 2½%.
3. The appropriation of funds for the necessary expenses of the extraordinary session herein called.

I DIRECT that members of the Legislature of the State of Nebraska be notified of the convening of this extraordinary session by mailing to each of them a copy of this Proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed this 2nd day of December, 1968.

(Signed) Norbert T. Tiemann
Governor

Attest:

(Signed) Allen J. Beermann
Deputy Secretary of State

(Seal)

MOTION—Officers

Mr. President: I move that the officers elected for the 77th Session, be retained for this, the 79th (Extraordinary) Session:

Chief Clerk of the Legislature
Assistant Clerk of the Legislature
Sergeant at Arms
Assistant Sergeant at Arms
Chaplain
and Olga Hoffman as Postmaster

(Signed) Dale L. Payne

The motion prevailed.

MOTION—Rules

Mr. President: I move that the rules of the 77th Session be used in this, the 79th (Extraordinary) Session with the exception of the number of officers as provided in the motion previously adopted regarding the officers.

(Signed) Calista Cooper Hughes

The motion prevailed.

MOTION—Committee on Credentials

Mr. President: I move that a committee of three be appointed on Credentials.

(Signed) Harold B. Stryker

The motion prevailed. The President appointed Messrs. Stryker, Syas and Payne to serve on said committee.

Messages from the Secretary of State

December 9, 1968

Mr. Hugo Srb
Clerk of the Legislature
Capitol Building
Lincoln, Nebraska

Dear Mr. Srb:

We hand you herewith the official appointment of Willard H. Waldo as a Member of the Legislature from the Thirty-first District for the unexpired term of Arnold Ruhnke, resigned.

Sincerely yours,

(Signed) Frank Marsh
Secretary of State

(Signed) Allen J. Beermann
Deputy Secretary of State

Frank Marsh, Secretary of State of the State of Nebraska does hereby certify that WILLARD H. WALDO has been appointed a Member of the Nebraska State Legislature from the Thirty-first District, for the unexpired term of Arnold Ruhnke, resigned, for the term beginning November 6, 1968, for such time as he shall satisfactorily perform all the duties imposed upon such officer by law, and until January 7, 1969, and until a successor is duly elected and qualified.

I further certify that the foregoing appointment was made by Governor Norbert T. Tiemann under the authority granted by Section 32-1042 of the Revised Statutes of Nebraska.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this Ninth day of December in the year of our Lord, one thousand nine hundred and sixty-eight.

(Signed) Frank Marsh
Secretary of State

(Signed) Allen J. Beermann
Deputy Secretary of State

(Seal)

December 9, 1968

Mr. Hugo Srb
Clerk of the Legislature
Capitol Building
Lincoln, Nebraska

Dear Mr. Srb:

We hand you herewith the official appointment of E. Thome Johnson as a Member of the Legislature from the Fifteenth District for the unexpired term of Ross Rasmussen, resigned.

Sincerely yours,

(Signed) Frank Marsh
Secretary of State

(Signed) Allen J. Beermann
Deputy Secretary of State

Frank Marsh, Secretary of State of the State of Nebraska does hereby certify that E. THOME JOHNSON has been appointed a Member of the Nebraska State Legislature from the Fifteenth District, for the unexpired term of Ross Rasmussen, resigned, for the term beginning November 25, 1968, for such time as he shall satisfactorily perform all the duties imposed upon such officer by law, and until January 7, 1969, and until a successor is duly elected and qualified.

I further certify that the foregoing appointment was made by Governor Norbert T. Tiemann under the authority granted by Section 32-1042 of the Revised Statutes of Nebraska.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this Ninth day of December in the year of our Lord, one thousand nine hundred and sixty-eight.

(Signed) Frank Marsh
Secretary of State

(Signed) Allen J. Beermann
Deputy Secretary of State

(Seal)

December 9, 1968

Mr. Hugo Srb
Clerk of the Legislature
Capitol Building
Lincoln, Nebraska

Dear Mr. Srb:

We hand you herewith the official appointment of Colonel Theodore C. Wenzlaff as a Member of the Legislature from the Thirty-second District for the unexpired term of Eric Rasmussen, resigned.

Sincerely yours,

(Signed) Allen J. Beermann
Deputy Secretary of State

Frank Marsh, Secretary of State of the State of Nebraska does hereby certify that COLONEL THEODORE C. WENZLAFF has been appointed a Member of the Nebraska State Legislature from the Thirty-second District, for the unexpired term of Eric Rasmussen, resigned, for the term beginning December 5, 1968, for such time as he shall satisfactorily perform all the duties imposed upon such officer by law, and until January 7, 1971.

I further certify that the foregoing appointment was made by Governor Norbert T. Tiemann under the authority granted by Section 32-1042 of the Revised Statutes of Nebraska.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this Ninth day of December in the year of our Lord, one thousand nine hundred and sixty-eight.

(Signed) Frank Marsh
Secretary of State

(Signed) Allen J. Beermann
Deputy Secretary of State

(Seal)

Report of Committee on Credentials

Mr. President: Your Committee on Credentials hereby reports that the following named are entitled to seats in this body: E. Thome Johnson, Willard H. Waldo and Theodore C. Wenzlaff.

(Signed) Harold B. Stryker, Chairman
George Syas and Dale L. Payne

MOTION—Adopt Report

Mr. President: I move that the report of the Committee on Credentials be adopted.

(Signed) Harold B. Stryker, Chairman

The motion prevailed.

Message from the Governor

December 6, 1968

The President, The Speaker
and Members of the Legislature
State Capitol
Lincoln, Nebraska

Gentlemen:

Governor Tiemann requests permission to address your honorable body.

Respectfully,

(Signed) Lois Tefft
Personal Secretary
to the Governor

MOTION—Notify Governor

Mr. President: I move that the President appoint a committee of five to notify the Governor that the Legislature is now organized and ready to receive communications and to escort him to the chamber.

(Signed) Richard L. Ely

The motion prevailed. The President appointed Messrs. Burbach, Kremer, Fleming, Budd and Carpenter to serve on said Committee.

Ease

The Legislature was at ease from 9:16 a.m. until 9:21 a.m.

Escort Governor

The Committee escorted Governor Norbert T. Tiemann to the rostrum.

Governor's Message

Mr. President, Speaker, Distinguished Members of this Legislative Body, Ladies and Gentlemen, I have asked you to gather in extraordinary session to consider making a very important decision regarding the fiscal policy of this state.

First, I shall ask that you allow the sales tax rate, as set by LB 377 to remain at $2\frac{1}{2}$ per cent. It will drop to 2 per cent January 1, 1969. The second matter is the matter of increase in salaries for the legislators as approved by the voters on the 5th day of last month.

I should like to devote part of my time this morning to an explanation of why the sales tax rate must remain at $2\frac{1}{2}$ per cent. The sales tax rate in comparison to our neighboring states is the lowest. There are only four states in this nation that have lower than $2\frac{1}{2}$ per cent sales tax rate, and all four of those states also have a local sales tax rate which then makes the total more than $2\frac{1}{2}$ per cent. If, by allowing the rate to drop to 2, and sometime in the next regular session, and this is probably inevitable, this body will be required to raise it to $2\frac{1}{2}$ or some other figure; then we engage in a disruptive policy with regard to fiscal matters, disruptive not only from the matter of administering the tax law by the tax commissioner, but on the part of the merchants who are required to collect this tax. Their computers, their machinery, and their clerks are geared to collect the $2\frac{1}{2}$ per cent. The disruptive nature is not good business policy besides being extremely expensive not only for the tax commissioner but also for the merchants themselves. The taxpayer of this state is accustomed to paying the $2\frac{1}{2}$ per cent, again among the lowest in the nation. Industry indicates to me, in our discussions with them, that they are requiring and want a stable tax rate. The income tax rate has remained the same for the next calendar year as it is now, and I'm asking that the sales tax rate also remain the same.

I should now like to present to you some figures which will put in proper perspective and very clearly indicate to you the great need for the revenue that will be produced by the $2\frac{1}{2}$ per cent rate. We anticipate that during the upcoming biennium 1969-71 we will have revenues in the amount of \$337,000,000. There will be \$28,000,000 anticipated balance at the end of the current biennium making the total of \$365,000,000 available income. My budget recommendation, which includes \$70,000,000 in aid programs, \$50,000,000 aid to elementary and secondary schools, \$20,000,000 aid to cities and counties, will total \$333,000,000. However, I ask that \$14,000,000 be provided for Homestead Exemptions as approved by the voters on the 5th day of November of this year. I shall ask that the Food Tax Credit be increased from \$7.00 to \$9.00 per person per year. This, in total, is \$6,000,000, for a complete package of \$353,000,000. The \$365,000,000 anticipated income minus \$353,000,000 plus \$5,000,000 in lapsed funds leaves a total balance at the end of the next biennium of \$17,000,000.

You raise the question, "Why a balance at the end of the biennium?" We're not in the business to make a profit. Several things can happen that will affect this. Number One: We could

sustain an economic downturn. Part of the state of Nebraska this year was in a drought area, a disaster area. We could have an economic recession: an estimating error in anticipating income or in anticipating expenditure could easily wipe this balance out.

Bear in mind that a shadow is cast over all of these figures, and that shadow is presently the case pending before the Supreme Court in which a decision will be handed down shortly to determine whether or not the State shall assume the three mill Mental Health levy now being assumed by the counties. If this is thrust upon the State, then these figures will have to be changed.

The Homestead Exemption bill I would propose to you would be a broad bill in which all homes, owner-occupied, would be affected. Overwhelmingly, on the 5th day of November the people of the state said, "Yes, we want Homestead Exemption" and to my judgment this means that the people of this state are asking the legislature to give us the Homestead Exemption to encourage ownership of owner-occupied property.

The Food Tax Credit. The regressivity of the sales tax is somewhat lessened by the Food Tax Credit. In Nebraska the Legislature of 1967 established its position, but because of the increase in food costs and because \$7.00 in my judgment, is not a proper figure for the Food Tax Credit, I shall ask that it be increased to \$9.00. This can be provided for under the 2½ per cent sales tax.

We're anticipating a different attitude and a different procedure in the matter of budgeting for the next biennium. Prior to this time, and all through the history of this state, we have built a budget, taken into consideration all of the money appropriations, and then we have asked and we have figured out the mill levy for property taxes or to raise the funds. But now we have a different procedure, a businesslike procedure in which we are anticipating the revenue that shall come in and we are counting this amount of money and then that shall be the budget, the amount of money that we shall spend. In other words, our taxpayers have some protection through this type of budgeting procedure.

In 1967 you faced many difficult decisions, you made many difficult decisions, popular and unpopular. You have borne the political heat that has gone with this. Your judgment has proven correct. Your judgment with regard to our taxing system was vindicated in the election last month in which the people overwhelmingly approved the income tax. They overwhelmingly approved our taxing system, even though this tax bill has been under attack almost constantly since the time of its inception, from not only members in this body but from people from outside of this body. In putting together the budget recommendation for 1969-71 biennium we have spent many, many, many weeks. I have partici-

pated personally in the budget making procedure and I can sympathize with those of you that have served long and in a distinguished manner on the budget committee. It is indeed an agonizing experience. The budget requests by the agencies for the upcoming biennium total \$543,000,000 in general funds. We will reduce that figure to \$333,000,000 or we have taken out \$210,000,000 of the recommendation. This does not come easily. Programs that are worthwhile cannot be started during this coming biennium but must wait. This budget is a hard-tack budget. It is one that would provide for progress in the State of Nebraska and yet one that the people within Nebraska can afford.

By way of explanation of how the budget is to operate, what the expenditures are for, where the deletions were made, any questions that you might have as to how we arrived at these figures, these figures will be distributed upon the finish of my remarks. The statistical data will support what I have just told you. In addition, Mr. Bob Rogers, Director of the Department of Administrative Services, and his staff will be available. Mr. Murrell, McNeil, Tax Commissioner, and his staff will be available and, Lt. Gov. Everroad and Senator Warner, any time that you want these people to appear before this body will be waiting for your request. A chart has been prepared and is across the hall in the East Senate Chamber. On the chart are budget requests made by the agencies and then the amount of money that I have recommended be appropriated for them for the next biennium.

In conclusion, the decision that faces you is not one that will be made easily but it is one that has long-reaching impact. I hope, in your deliberation, that you will not be forced into a decision by individuals who come to you and by virtue of an emotional argument disrupt your progressive thinking in this matter. The figures are here. The figures are sound. We have the evidence to support them. I hope you'll give it your deepest consideration. Thank you, Mr. President.

The Committee escorted the Governor from the Chamber.

Ease

The Legislature was at ease from 9:33 a.m. until 9:37 a.m.

MOTION—Committee Appointments

Mr. President: I move that the three new members, E. Thome Johnson, Willard H. Waldo and Theodore C. Wenzlaff, be appointed to the committees on which their predecessors, Ross Rasmussen, Arnold Ruhnke, and Eric Rasmussen, served, with the exception of

the chairmanships of the Committee on Committees and the Rules Committee, which chairmanships are awaiting consideration of the Committee on Committees; and that with this exception the membership on all standing committees be the same as during the 77th regular session.

(Signed) George C. Gerdes

The motion prevailed.

Messages from the Governor

November 12, 1968

Mr. Speaker, Mr. President and
Members of the Legislature:

Please be informed that I have made the following appointments requiring Legislative confirmation:

Educational Television Commission

Dr. Philip Heckman, Crete, effective April 17, 1968 for a 6 year term, replacing Theron B. Maxson, whose term expired.

Motor Vehicle Dealer's License Board

Arch Adams, Fremont, effective May 18, 1968 for a 3 year term replacing James F. Tepner, whose term expired

Julius Novak, Omaha, effective October 19, 1968 to October 19, 1971, a re-appointment

Nebraska Investment Council

Eldon Freudenburg, West Point, effective May 20, 1968 to November 1, 1971, replacing Henry Kosman, who resigned

Donald J. Mathes, Lincoln, effective August 23, 1968 to November 1, 1969, replacing A. W. Griffin who resigned.

State Board of Health

Robert V. Jones, York, effective September 14, 1968 for a 3 year term replacing Edward B. Robinson whose term expired
Rev. Elwin C. Bergstraesser, Blair, effective September 14, 1968 for a 3 year term replacing H. K. Diers, whose term expired

Board of Educational Lands & Funds

Harold J. Luchtel, Columbus, effective October 1, 1968 for a 5 year term replacing J. J. DeLay whose term expired

Director, Department of Motor Vehicles

Emmett J. Dennis, Jr., Omaha, Director, Department of Motor Vehicles, replacing Larry C. Johns, effective, November 5, 1968.

Very truly yours,

(Signed) Norbert T. Tiemann
Governor

NTT:sjs

cc: Helen Griess, Editor
The Blue Book

December 2, 1968

Mr. Speaker, Mr. President and
Members of the Legislature:

Please be informed that I have made the following appointments requiring Legislative Confirmation:

Game and Parks Commission

Lee Wells, Axtell, effective November 8, 1968 to September 6, 1969, replacing W. C. Kemptar, deceased.

State Board of Health

Warren Bosley, M. D., Grand Island, effective November 21, 1968 to September 14, 1971, replacing Fay Smith, M. D., Omaha deceased.

Nebraska Investment Council

Dale Tinstman, Lincoln, effective November 1, 1968, for a five year term. This is a re-appointment.

Respectfully,

(Signed) Norbert T. Tiemann
Governor

NTT: skr

Referred to the Committee on Committees.

UNANIMOUS CONSENT—Printed Material

Mr. Marvel asked unanimous consent to discuss and distribute a brochure of agency budget requests for the 1969-71 biennium requested by the Executive Board of the Legislative Council.

No objections. So ordered.

Mr. Carpenter asked unanimous consent to have Mr. Marvel discuss the brochure without limitation of time.

No objections. So ordered.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 1. By Henry F. Pedersen, Jr., Legislative District 4 and Claire W. Holmquist, Legislative District 16.

A BILL FOR AN ACT to amend section 50-123.01, Reissue Revised Statutes of Nebraska, 1943, relating to the Legislature; to fix the amount and time of payment of salaries of members of the Legislature in accordance with Article III, section 7, of the Constitution of Nebraska, as amended; to provide when such salaries shall become effective; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 2. By Richard D. Marvel, Legislative District 33 and George C. Gerdes, Legislative District 49.

A BILL FOR AN ACT to provide for the compensation of employees, mileage of members, and for supplies and other incidental expenses incurred during the Seventy-ninth (Extraordinary) Session of the Legislature of the State of Nebraska; to appropriate the sum of nine thousand six hundred seventy dollars therefor; and to declare an emergency.

LEGISLATIVE BILL 3. By Roland A. Luedtke, Legislative District 28, Claire W. Holmquist, Legislative District 16, William F. Swanson, Legislative District 27, and George C. Gerdes, Legislative District 49.

A BILL FOR AN ACT to amend section 77-2703, Revised Statutes Supplement, 1967, relating to revenue and taxation; to maintain the sales tax at its present rate as prescribed; to repeal the original section; and to declare an emergency.

MOTION—Suspend Rules

Mr. Carpenter moved to suspend the rules and place LB 1 on General File without a public hearing.

The motion prevailed with 40 ayes, 0 nays and 9 not voting.

Mr. Marvel moved to suspend the rules and place LB 2 on General File without a public hearing.

The motion prevailed with 44 ayes, 0 nays and 5 not voting.

Ease

The Legislature was at ease from 10:42 a.m. until 10:48 a.m.

REFERENCE COMMITTEE REPORT

LB Committee
3.....Revenue

(Signed) John E. Everroad
President

MOTION—Suspend Rules

Mr. Burbach moved to suspend the rules to hold a public hearing on LB 3 at 2:00 p.m., Wednesday, December 11, 1968 in the Legislative Chamber.

The motion prevailed with 40 ayes, 0 nays and 9 not voting.

Visitors

Mr. Marvel introduced Mrs. Irving Walker and her guests Mr. Mohinder Deva and daughter Neela Deva from New Delhi, India.

RESOLUTIONS**LEGISLATIVE RESOLUTION 1. Re: Nebraska Educational Telecommunications Building**

Introduced by Terry Carpenter, 48th District.

WHEREAS, the Legislature of the State of Nebraska has authorized development of a statewide educational and public television network to serve all the students and other citizens of Nebraska; and

WHEREAS, the Nebraska Educational Television Commission has, as directed, completed the construction of nine interconnected broadcast transmitters, and administers a continuing program service via the Nebraska ETV Network on behalf of the people of Nebraska; and

WHEREAS, the Legislature of the State of Nebraska recognizes the instructional benefits accruing to over two hundred twenty five thousand Nebraska students, recognizes the continuing educational benefits accruing to thousands in the various professions, and recognizes the public television benefits accruing to people throughout the State via the Nebraska ETV Network; and

WHEREAS, Nebraska educational television development during its formative period has merited and continues to merit national recognition and brings appropriate credit and resources to the State of Nebraska; and

WHEREAS, the Educational Television Commission and its Lincoln-based programming production agencies are currently inade-

quately housed in nine separate, inefficient and severely limiting locations, which condition for all practical purpose stifles further improvement in the quality or quantity of Network program services; and

WHEREAS, the Nebraska Management Analysis Study Committee appointed by the Governor recognizes the severity of the problem and specifically recommends the consolidation of "all Lincoln-based educational television agencies and services into one location", and states that a "single facility adequate to accommodate the dispersed ETV activities in Lincoln would permit substantially improved managerial and operations efficiency"; and

WHEREAS, the Seventy-Seventh Regular Session of the Legislature recognized the need for a companion origination facility to join with the distribution system to complete the network, and appropriated the sum of \$250,000 to the Educational Television Commission to hire architects and plan an educational telecommunications building, anticipating appropriation of funds for construction of said building in the next regular Session; and

WHEREAS, the Legislature of the State of Nebraska directed that such building planning include the Telecommunications Division of the Department of Administrative Services, which division requires space for emergency and consolidated state agencies communications development as envisioned in enabling legislation and as provided for in the educational telecommunications building; and

WHEREAS, the Educational Television Commission, as directed by the Legislature, has completed the systematic planning of an educational telecommunications building on behalf of itself, the ETV Network, Nebraska schools and colleges, the Telecommunications Division and the State of Nebraska; and

WHEREAS, occupancy of said building, even with earliest approval, could not be taken until the spring of 1971, and any further delay will effect substantial hardship upon the quality and quantity of both the instructional program service for students and the general public service for homeviewers, and will force the loss of irretrievable progress in the Nebraska ETV development;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTY-NINTH EXTRAORDINARY SESSION ASSEMBLED:

1. That the Legislature of the State of Nebraska commends the expeditious completion of the nine station interconnected network distribution system as one of the finest in the United States;

2. That the Legislature of the State of Nebraska urges the increased utilization and continued improvement of classroom, in-service and public television programs for the people of Nebraska;

3. That the Legislature of the State of Nebraska authorizes the Educational Television Commission to secure construction bids for the telecommunications building planning funds have designed, so the next Session of the Legislature will have accurate and firm cost data with which to consider construction authorization; and

4. That the Legislature of the State of Nebraska urges that the next Regular Session of the Nebraska Legislature immediately upon convening consider authorization of and the appropriation of funding for construction of the Nebraska Educational Telecommunications Building, in order to complete the Nebraska ETV Network system and through early construction effect substantial savings for the taxpayers of Nebraska.

NOTICE OF COMMITTEE HEARINGS....

Committee on Committees

December 9, 1968

The Committee on Committees will meet at 1:15 P.M. on Thursday, December 12, 1968 in the Supreme Court Hearing Room for the purpose of hearing appointments by Governor Norbert T. Tie-mann, as follows:

Eldon Freudenburg, Nebraska Investment Council
Donald J. Mathes, Nebraska Investment Council
Emmett J. Dennis, Jr., Director, Dept. of Motor Vehicles
Robert V. Jones, State Board of Health
Rev. Elwin C. Bergstraesser, State Board of Health

(Signed) Eugene T. Mahoney, Vice Chairman
Committee on Committees

MOTION—State Offices

Mr. Warner moved that the Legislature approve the request of the State Board of Nursing and the Railway Commission to relocate from 134 South 12th Street to 1342 M Street.

Mr. Marvel moved the motion be laid over until Wednesday December 11, 1968.

The Marvel motion prevailed.

Adjournment

At 11:05 a.m., on a motion by Mr. Adamson, the Legislature adjourned until 10:00 a.m., Tuesday, December 10, 1968.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-NINTH (EXTRAORDINARY) SESSION

SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, December 10, 1968

Pursuant to adjournment, the Legislature met at 10:00 a.m.,
President Everroad presiding.

Prayer was offered by the Chaplain.

Prayer

O God, our Father, at the dawning of another new day, we are grateful for fresh hopes for facing old problems, and for Thine assurance of ultimate victory.

So grant to this body of men and women wisdom to perceive the issues facing them, love to understand the problems before them, and power to act toward a solution. Amen.

The roll was called and all members were present except Messrs. Mahoney, Proud, Skarda and Viehmeyer, who were excused; Mr. Marvel excused until 10:30 a.m. and Messrs. Bloom and Carstens excused until 10:40 a.m.

Corrections for the Journal

Page 13, last line, delete "east" and insert "ease".

Page 14, line 8, delete "rule" and insert "rules".

The Journal for the First Day was approved as corrected.

RESOLUTIONS

LEGISLATIVE RESOLUTION 1.

Laid over until 10:30 a.m. at the request of Mr. Carpenter.

GENERAL FILE

LEGISLATIVE BILL 1. Read and Considered.

Advanced to E and R for review with 42 ayes, 0 nays and 7 not voting.

LEGISLATIVE BILL 2. Read and Considered.

Advanced to E and R for review with 42 ayes, 0 nays and 7 not voting.

Ease

The Legislature was at ease from 10:13 a.m. until 10:40 a.m.

RESOLUTIONS**LEGISLATIVE RESOLUTION 1.** Read and Considered.

Mr. Marvel moved to strike paragraph 4 (page 16 of the Legislative Journal) from LR 1.

The motion prevailed.

LR 1 was adopted as amended with 38 ayes, 3 nays and 8 not voting.

MOTION—ETV

Mr. Adamson moved that ETV be allowed to televise the action of the opening of the 1969 Session and that we retain the same ground rules used in the 1967 Session.

Mr. Burbach moved to amend the motion to include if this body wishes certain tapes to be retained, that they be retained and made part of the Legislative files.

The Burbach amendment was adopted.

The Adamson motion, as amended, prevailed.

MOTION—Legislative Offices

Mr. Carstens moved that the Executive Board of the Legislative Council be directed to make provision for a Lounge for use by members of the Legislature and provide an additional room or rooms to be used as an office or for office purposes, or work space, during the 1969 Session.

The motion prevailed.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 1. Placed on Select File.

LEGISLATIVE BILL 2. Placed on Select File as amended.

E and R amendment to LB 2:

1. In section 1, line 7, strike "1969" and insert "1968".

(Signed) Roland A. Luedtke, Chairman

MOTION—Suspend Rules

Mr. Carpenter moved to suspend the rules and consider LB 1 and LB 2 on Select File at this time.

The motion prevailed with 42 ayes, 0 nays and 7 not voting.

SELECT FILE

LEGISLATIVE BILL 1. Advanced to E and R for engrossment with 44 ayes, 0 nays and 5 not voting.

LEGISLATIVE BILL 2. E and R amendment found in this day's Journal was adopted.

Advanced to E and R for engrossment.

Recess

At 12:00 noon, on a motion by Mr. Carpenter, the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., President Everroad presiding.

The roll was called and all members were present except Messrs. Batchelder, Brauer, Knight, Mahoney, Proud, Skarda and Viehmeyer, who were excused and Mr. Marvel excused until 2:45 p.m.

Committee to Escort Visitors

The President appointed Messrs. Adamson, Warner and Hasebrook to escort the following members of the Washington Delegation to the rostrum: U. S. Senator Carl T. Curtis, Congressman Robert V. Denney, Mr. Dean Polenz representing U. S. Senator Roman L. Hruska, Mr. Robert Brayton representing Congressman Dave Martin and Mr. Carl Heine representing Congressman Glenn Cunningham.

Senator Curtis discussed the Intergovernmental Cooperation Act; Congressman Denney discussed the Federal Highway Program; Mr. Polenz discussed the Budgetary Impact of Grant and Aid Programs and Mr. Brayton discussed Irrigation and Reclamation.

The President opened the discussion for questions from members of the Legislature to the Representatives.

The Legislature was divided into the following groups for informal discussion:

Group 1 with Mr. Polenz and Mr. Brady, chaired by Mr. Marvel in the West Senate Lounge consisting of the Agriculture and Budget Committees.

Group 2 with Senator Curtis and Mr. Heine, chaired by Speaker Adamson in the Legislative Council Hearing Room, consisting of the Government and Miscellaneous Subjects Committees.

Group 3 with Congressman Denney, chaired by Mr. Warner in the Supreme Court Hearing Room, consisting of the Public Works and Salaries and Claims Committees.

Recess

At 3:25 p.m., on a motion by Mr. Warner, the Legislature recessed until 4:10 p.m.

After Recess

The Legislature reconvened at 4:16 p.m., Speaker Adamson presiding.

The roll was called and all members were present except Messrs. Batchelder, Brauer, Carstens, Danner, Knight, Mahoney, Pedersen, Proud, Skarda, Viehmeyer and Mmes. Hughes and Orme, who were excused.

Member Excused

Mr. Syas asked unanimous consent to be excused for Wednesday, December 11, 1968. No objections. So ordered.

MOTION—Committee on Intergovernmental Cooperation

Mr. Warner moved to direct and authorize the Committee on Intergovernmental Cooperation to act as a liaison for the State Legislature with the Nebraska Congressional delegation to develop and propose future activities to promote greater coordination and cooperation between the two Legislative branches of government.

The motion prevailed.

Appreciation

Senator Curtis, on behalf of the group, thanked the members of the Legislature for giving them the opportunity to come and discuss the matters facing the State and Nation.

Speaker Adamson thanked the group on behalf of the Legislature, for giving of their time to discuss the mutual problems of the State and Federal Government.

Committee to Escort Visitors

Messrs. Warner, Marvel, Hasebroock, Swanson and Moulton escorted the delegation from the Chamber.

Adjournment

At 4:27 p.m., on a motion by Mr. Klaver, the Legislature adjourned until 10:00 a.m., Wednesday, December 11, 1968.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-NINTH (EXTRAORDINARY) SESSION

THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, December 11, 1968

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Everroad presiding.

Prayer was offered by the Chaplain.

Prayer

O God, our Father, believing that Thou hast created us in Thine image, with a vast potential for growth and creativity, grant us now courage to stand for what is right; give us perseverance to contend against the wrongs of society; and afford us the wisdom to discern the difference.

We are painfully aware that most issues, by and large, cannot be discussed in terms of black or white, for they contain strands of gray. Therefore, when we are often called upon to make compromises, may they be not in the nature of giving up our principles but of trying to understand the other person's principles the better.

May we not lose confidence because of the intricate problems of discretion and decision, but know this is one reason why we have been put here on earth—to make decisions, for ourselves and others.

Give us, therefore, the incentive to lean toward the truth, toward the right, and toward the good.

We pray in our Lord's name. Amen.

The roll was called and all members were present except Messrs. Bloom, Brauer, Danner, Harsh, Pedersen, Proud, Syas, Viehmeyer, and Waldron, who were excused.

The Journal for the second day was approved.

Presentation

The President introduced Mrs. Elmer C. Schlaphoff, Director of Agriculture. Mr. Schlaphoff presented the President and each member of the Legislature with a copy of the book "Nebraska Weeds".

President Signs

While the Legislature was in session and capable of transacting business, the President signed: LR 1

MOTION—State Offices

Mr. Warner renewed his pending motion, found in the Legislative Journal for the First Day, regarding the relocation of the State Board of Nursing and the Railway Commission.

The motion prevailed.

Adjournment

At 10:11 a.m., on a motion by Mr. Adamson, the Legislature adjourned until 9:00 a.m., Thursday, December 12, 1968.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-NINTH (EXTRAORDINARY) SESSION

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, December 12, 1968

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Everroad presiding.

Prayer was offered by the Chaplain.

Prayer

Eternal God, we know Thou art high above us, yet deep within us. Wilt Thou give to this senate, before facing this day the strategic issues of finance confronting our state, a moment of composure and perspective by thinking on Thee, who dost face the problems of the universe.

May we not be apathetic, but rather filled with a desire to finish the work before us. Help us to understand what our state needs to do, and prepare us to evaluate the cost of this doing.

May we ever seek peace and harmony, but never a selfish peace, and with wider vision may we, steadfastly and faithfully, work to meet the imperative needs facing the people of our state.

In our Lord's name. Amen.

The roll was called and all members present except Messrs. Brauer, Knight, and Viehmeyer, who were excused.

Corrections for the Journal

Page 22, line 16, delete "an" and insert "or".

The Journal for the Third Day was approved as corrected.

Members Excused

Messrs. Adamson, Holmquist, Burbach, Gerdes and Hasebroock asked unanimous consent to be excused at 4:00 p.m. today and Friday, December 13, 1968.

No objections. So ordered.

Messrs. Ely, Klaver, and Carstens asked unanimous consent to be excused Friday, December 13, 1968. No objections. So ordered.

Visitor

Mr. Mahoney introduced Mr. John Loday, member of the State Board of Education from Omaha.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 1. Correctly engrossed.

LEGISLATIVE BILL 2. Correctly engrossed.

(Signed) Roland A. Luedtke, Chairman

Revenue

LEGISLATIVE BILL 3. Indefinitely postponed.

(Signed) J. W. Burbach, Chairman

MOTION—Place LB 3 on General File

Mr. Luedtke moved to place LB 3 on General File notwithstanding the action of the committee.

Speaker Adamson Presiding

Mr. Pedersen moved the previous question. The question is "Shall the debate now cease?" The motion prevailed with 38 ayes, 0 nays and 11 not voting.

Mr. Klaver requested a record vote on the Luedtke motion.

Voting in the affirmative, 20:

Adamson	Holmquist	Matzke	Swanson
Budd	Hughes	Moulton	Syas
Carpenter	Johnson	Orme	Waldo
Ely	Kjar	Payne	Warner
Gerdes	Luedtke	Robinson	Wenzlaff

Voting in the negative, 26:

Batchelder	Harsh	Moylan	Skarda
Bloom	Hasebroock	Nore	Stryker
Burbach	Klaver	Pedersen	Waldron
Carstens	Kokes	Proud	Wallwey
Danner	Kremer	Reynolds	Whitney
Elrod	Mahoney	Simpson	Wylie
Fleming	Marvel		

Not voting, 3:

Brauer Knight Viehmeyer

The Luedtke motion lost.

Member Excused

Mr. Waldron asked unanimous consent to be excused Friday, December 13, 1968. No objections. So ordered.

Adjournment

At 10:21 a.m., on a motion by Mr. Pedersen, the Legislature adjourned until 9:00 a.m., Friday, December 13, 1968.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-NINTH (EXTRAORDINARY) SESSION

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, December 13, 1968

Pursuant to adjournment, the Legislature met at 9:05 a.m., Mr. Warner presiding.

Prayer was offered by the Chaplain.

Prayer

O God, our loving Father, give to this strategic body of state leaders the deep sense that through diversity they are working in unity for the common good. Thou hast surely created each one of us vastly different from every other one, yet this difference helps to bring about the harmony of life. We have faith in every decision, yet we so often doubt Thee. Man has exhibited inhumanity to man, yet we trust each other. No economy is constant, yet we still do business and write our checks. Some public servants are motivated by self-interest, yet we still have elections. Winters take the bloom from the trees, but there is always a spring. So when we trust and must make decisions on the relative values of life, may we have greater confidence in Thee who art the only absolute, our Lord and our God. Amen.

The roll was called and all members were present except Messrs. Adamson, Batchelder, Burbach, Carstens, Ely, Gerdes, Hasebroock, Holmquist, Klaver, Kremer, Moylan, Viehmeyer and Waldron, who were excused and Mr. Bloom excused until 9:10 a.m.

The Journal for the Fourth Day was approved.

STANDING COMMITTEE REPORTS

Committee on Committees

December 12, 1968

Mr. President:

The Committee on Committees desires to report favorable upon the appointments listed below which were submitted by Governor

Norbert T. Tiemann. The Committee suggests that the appointments be confirmed by this Legislative Body, and suggests a record vote on each confirmation.

Robert V. Jones—State Board of Health
 Elwin C. Bergstraesser—State Board of Health
 Donald J. Mathes—Nebraska Investment Council
 Eldon Freudenburg—Nebraska Investment Council
 Emmett J. Dennis, Jr.—Director of Department of Motor Vehicles

Respectfully submitted,

(Signed) Eugene T. Mahoney, Vice Chairman
 Committee on Committees

Mr. Mahoney moved the adoption of the report and a record vote taken on each confirmation. The motion prevailed.

Vote on Mr. Jones

Voting in the affirmative, 31:

Budd	Knight	Orme	Swanson
Danner	Kokes	Payne	Syas
Elrod	Luedtke	Pedersen	Wallwey
Fleming	Mahoney	Proud	Warner
Harsh	Marvel	Reynolds	Wenzlaff
Hughes	Matzke	Robinson	Whitney
Johnson	Moulton	Simpson	Wylie
Kjar	Nore	Skarda	

Voting in the negative, 0.

Not voting, 18:

Adamson	Carpenter	Holmquist	Stryker
Batchelder	Carstens	Klaver	Viehmeyer
Bloom	Ely	Kremer	Waldo
Brauer	Gerdes	Moylan	Waldron
Burbach	Hasebroock		

Having received a majority of the votes of all members, Mr. Warner declared the appointment of Mr. Jones confirmed.

Vote on Mr. Bergstraesser

Voting in the affirmative, 31:

Budd	Fleming	Johnson	Kokes
Danner	Harsh	Kjar	Luedtke
Elrod	Hughes	Knight	Mahoney

Marvel	Payne	Simpson	Warner
Matzke	Pedersen	Skarda	Wenzlaff
Moulton	Proud	Swanson	Whitney
Nore	Reynolds	Syas	Wylie
Orme	Robinson	Wallwey	

Voting in the negative, 0.

Not voting, 18:

Adamson	Carpenter	Holmquist	Stryker
Batchelder	Carstens	Klaver	Viehmeier
Bloom	Ely	Kremer	Waldo
Brauer	Gerdes	Moylan	Waldron
Burbach	Hasebroock		

Having received a majority of the votes of all members, Mr. Warner declared the appointment of Mr. Bergstraeser confirmed.

Vote on Mr. Mathes

Voting in the affirmative, 30:

Budd	Kokes	Payne	Swanson
Danner	Luedtke	Pedersen	Syas
Elrod	Mahoney	Proud	Wallwey
Fleming	Marvel	Reynolds	Warner
Harsh	Matzke	Robinson	Wenzlaff
Hughes	Moulton	Simpson	Whitney
Johnson	Nore	Skarda	Wylie
Knight	Orme		

Voting in the negative, 0.

Not voting, 19:

Adamson	Carpenter	Holmquist	Stryker
Batchelder	Carstens	Kjar	Viehmeier
Bloom	Ely	Klaver	Waldo
Brauer	Gerdes	Kremer	Waldron
Burbach	Hasebroock	Moylan	

Having received a majority of the votes of all members, Mr. Warner declared the appointment of Mr. Mathes confirmed.

Vote on Mr. Freudenburg

Voting in the affirmative, 33:

Bloom	Elrod	Hughes	Knight
Budd	Fleming	Johnson	Kokes
Danner	Harsh	Kjar	Luedtke

Mahoney	Payne	Simpson	Wallwey
Marvel	Pedersen	Skarda	Warner
Matzke	Proud	Swanson	Wenzlaff
Moulton	Reynolds	Syas	Whitney
Nore	Robinson	Waldo	Wylie
Orme			

Voting in the negative, 0.

Not voting, 16:

Adamson	Carpenter	Hasebroock	Moylan
Batchelder	Carstens	Holmquist	Stryker
Brauer	Ely	Klaver	Viehmeyer
Burbach	Gerdes	Kremer	Waldron

Having received a majority of the votes of all members, Mr. Warner declared the appointment of Mr. Freudenburg confirmed.

Vote on Mr. Dennis

Voting in the affirmative, 32:

Budd	Knight	Orme	Swanson
Danner	Kokes	Payne	Syas
Elrod	Luedtke	Pedersen	Waldo
Fleming	Mahoney	Proud	Wallwey
Harsh	Marvel	Reynolds	Warner
Hughes	Matzke	Robinson	Wenzlaff
Johnson	Moulton	Simpson	Whitney
Kjar	Nore	Skarda	Wylie

Voting in the negative, 0.

Not voting, 17:

Adamson	Carpenter	Hasebroock	Moylan
Batchelder	Carstens	Holmquist	Stryker
Bloom	Ely	Klaver	Viehmeyer
Brauer	Gerdes	Kremer	Waldron
Burbach			

Having received a majority of the votes of all members, Mr. Warner declared the appointment of Mr. Dennis confirmed.

Members Excused

Messrs. Elrod, Mahoney and Waldo asked unanimous consent to be excused Saturday, December 14, 1968. No objections, so ordered.

Adjournment

Mr. Skarda moved to adjourn until Monday, December 16, 1968.

Mr. Whitney moved to amend the motion to 10:00 a.m., Saturday, December 14, 1968.

The Whitney amendment prevailed.

The Skarda motion, as amended, prevailed and the Legislature adjourned at 9:19 a.m., until 10:00 a.m. Saturday, December 14, 1968.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-NINTH (EXTRAORDINARY) SESSION

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Saturday, December 14, 1968

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Everroad presiding.

Prayer was offered by the Chaplain.

Prayer

Eternal God, again we unite to think through issues of deep import before our state. Give sensitivity of spirit and genuine inner strength of will to Thy servants as they make decisions which will effect men personally. May they ever have concern for themselves and for each other.

Give to them also an objectivity in facing issues which may most effectively benefit all the people of this state. May there be candor, integrity, and wisdom in the decisions which will be made. Illumine our darkness with the light of Thy truth. In our Lord's name. Amen.

The roll was called and all members were present except Messrs. Bloom, Brauer, Budd, Carstens, Elrod, Ely, Klaver, Kremer, Mahoney, Marvel, Nore, Pedersen, Skarda, Swanson, Viehmeyer, Waldo, Mrs. Hughes and Miss Reynolds, who were excused.

Corrections for the Journal

Page 28, line 34, correct spelling of the name "Bergstraesser".

The Journal for the Fifth Day was approved as corrected.

Explanation of Vote on LB 3

I voted to raise from Revenue Committee after I made the motion to kill it in the committee for the reason the Governor personally advised me afterwards, verified by Senator Luedtke on the floor, that they would accept a six month extension of the Sales Tax at 2½% to determine the need later. I am against raising the

Sales Tax to 2½% now and in the future. Let the present laws prevail, which requires the income tax be raised.

(Signed) Terry Carpenter

Communication

December 12, 1968

Mr. President, Mr. Speaker and
Members of the Legislature

Dear Senators:

The following names were submitted as appointments by the Governor and whereas the statutes do not require approval of the Legislature of these positions, no further action was taken by the Committee on Committees to recommend approval or disapproval:

Arch Adams—Motor Vehicle Dealers' License Board
Julius Novak—Motor Vehicle Dealers' License Board
Harold J. Luchtel—Board of Educational Lands and Funds

The following names were submitted as appointments by Governor Norbert T. Tiemann. As time did not permit the personal appearance of these appointees before the Committee on Committees, these appointments will be considered in the 1969 Regular Session of the Legislature:

Dr. Philip Heckman—Educational Television Commission
Lee Wells—Game and Parks Commission
Warren Bosley, M.D.—State Board of Health
Dale Tinstman—Nebraska Investment Council

Respectfully yours,

(Signed) Eugene T. Mahoney, Vice Chairman
Committee on Committees

Visitor

Mr. Danner introduced Mr. Wendall Thurston from Omaha.

Explanation of Vote

Mr. President: Had I been present on December 13, I would have voted in favor of the confirmation of Mr. Jones, Mr. Bergstraesser, Mr. Mathes, Mr. Freudenburg and Mr. Dennis.

(Signed) W. H. Hasebroock

REPORT OF REGISTERED LOBBYISTS

December 14, 1968

In accordance with LB 302, passed in the 1965 session of the Legislature, the attached is a list of those lobbyists who registered during the period December 9, 1968 through December 13, 1968, inclusive.

(Signed) Hugo F. Srb

Clerk of the Legislature

REGISTERED LOBBYISTS**(79TH EXTRAORDINARY SESSION)**

Lobbyists	Employers	Registration Date
Johnson, Forrest A.	Nebraska Tax Research Council, Inc.	12-11-68
Nisley, Richard	Nebraska State AFL-CIO	12-11-68
Rasmussen, Ross H.	Nebraska State School Boards Association	12-12-68

Adjournment

At 10:13 a.m., on a motion by Mr. Syas, the Legislature adjourned until 10:00 a.m., Monday, December 16, 1968.

Hugo F. Srb

Clerk of the Legislature

SEVENTY-NINTH (EXTRAORDINARY) SESSION

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, December 16, 1968

Pursuant to adjournment, the Legislature met at 10:05 a.m., President Everroad presiding.

Prayer was offered by the Chaplain.

Prayer

Eternal God, for the members of this legislature who are serving the people of this state, sometimes accepting personal abuse, misunderstandings, and often sacrificing home and family, we are grateful. May they feel that their service has been worthwhile. And may they be given a time of spiritual, mental, and physical re-creation, so again they may face problems too intricate to solve, yet which require a vote nevertheless.

Give to each one of these senators a righteous purpose from which no alluring incentives may cause them to deviate. Give them a toughness of will that no tribulation can destroy. Give them a coolness of mind, which can think objectively, and a warmth of heart which has compassionate logic as well as deep understanding that as we come to the end of this session we may merit thy benediction, "Well done, good and faithful servant." Amen.

The roll was called and all members were present except Messrs. Brauer, Carpenter and Viehmeyer, who were excused.

The Journal for the Sixth day was approved.

Governor's Open House

All Senators are cordially invited to attend the Governor's Open House between the hours of 1:30 p.m. and 4:30 p.m. on the 16th or 17th day of December. The Open House is being held in the mansion this year.

Visitors

Mr. Wenzlaff introduced Mr. E. T. Nuss and Mr. George Buttell of Sutton, Nebraska.

Mr. Payne introduced Mr. Norman Magnusson of Bellevue.

Member's Birthday

Mr. Whitney announced that today is Mr. Pedersen's birthday. The members sang Happy Birthday to him.

MOTION—Print in Journal

Mr. Robinson moved that Mr. Kjar's following remarks be printed in the Journal. The motion prevailed.

Senator Kjar: I did ask the President for a moment of special privilege and it came a little before I thought it would, but nevertheless I did have a thought or two in mind that I wish to express this morning. I believe you will agree with me that we have met in this special session at the call of the Governor, and we are, no doubt, economy-minded. By our action the other day it proved that we are economy-minded and I expect that that will prevail all through the session until the closing moment. We have a couple more duties to perform and I suppose economy will enter into that, into the thinking of all of us. But the other thing I had in mind and the principal thing I wish to mention was what will be happening in this Legislature and in the State of Nebraska as a result of our action in the year or the years to come. We had a briefing from our Congressional Delegation from Washington and they impressed upon us those two words, Block Grant. You might remember it a little more easily by saying a block of granite. But a Block Grant. And to my opinion, in my opinion, they did not give a very definite and complete illustration of just what that would mean. Well I can see that if money is granted to states in rather a lump sum or a "Block", as they refer to it, the responsibility for the use of that money for the good of the people of Nebraska will rest with the people in Nebraska and its allocation will, perhaps, have to come from some local committee or some people. I believe, I am afraid that that general direction will come from this Legislature or from some Legislative bills or resolutions that have been passed. That is where I have my apprehension. You know that when money is spent in the name of the State, this Legislature gets the blame for it, or the credit, as the case may be. I want to call your attention to a few things this morning that I think is the blame, and the blame perhaps does rest almost squarely upon this Legislature. It comes about often by the passing, too freely, of resolutions or study committee assignments. They delve into various

things and run up big bills of expense, sometimes needlessly, sometimes extravagantly. I wish this Legislature would, in the future, try not to pass so many resolutions and study committees unless they are sure that it will not get into the area of too much expense. I have here just a mild illustration of a beautiful book and Director Schlaphoff, I think, made quite a mistake the other day by not telling us that this book sells for \$4.00. It isn't a free gratis thing. It's well put together and something that has been very close to me. The control of weeds. I purchased one as soon as they were available and the sale price is \$4.00. You people got one by virtue of being a member of the Legislature, but don't give the impression that we have authorized a free expenditure of an expensive book like this to hand out to everybody whether they are going to use it or not. So I'd just do that merely by means of explanation. I have one or two other examples here; I think will illustrate my point. I hold here in my hand a 329 page document, a 319 page document, that wasn't worth the paper it was written on. I was a member of the committee that heard this bill. It was introduced by Senator Carpenter and he made no defense of it. It's the Highway bill to provide for Motor Vehicle Inspection and so forth and so on to try and conform with the requirements for allocation of the Federal Government for Interstate Highway Funds and I was so perturbed by its impracticability that as a member of that committee I insisted that the committee find out something about who wrote it and what it consisted of and how much it cost. I had to call one of the heads of our department from our State University and he invited me to come to his office to confer with him. I said "No, you come down here", and we sat right up there in that corner. I found out that this thing cost \$8,000 of Federal Funds. When I inquired as to how it was spent, well, a lot of the senior law students were hired at a cost of \$2.00 an hour and the rest of it you can guess was a moonlighting deal on someone who was well paid by the State of Nebraska anyway. Those things I resent. All right, here's what the chairman of your committee said about it. "LB 71 was a general requalification of the Motor Vehicle laws of the State of Nebraska. After hearing the testimony relative to the bill the committee was of the opinion that no action should be taken in accepting LB 71 because a more complete study should be held and more advice should be taken by the various departments of professional people in the State." The committee appreciated the fact that a lot of work went into the bill but it also felt that it should be postponed until the Federal laws had been completely requalified and a complete study of the departments made by the State. It was indefinitely postponed by a vote of 8-0. There went your \$8,000 down the drain. It did absolutely no good but left a bad reflection upon the state of Nebraska and this Legislature. So, I say when these federal grants come, let us try to be careful and see how they are

used. Upon inquiry, I asked who authorized the expenditure of that money. My answer was, "We have a committee of heads of departments that decides that anything that is considered to be of the general good justifies an expense". I cannot go along with that line of thinking at all. I have another little one here. The best pocket edition of the Mental Retardation program. This is the second volume. I think the first volume was bigger. I'll ask any of you if you could store this away in your library for future use. Too big to go in a library shelf. It's too darned big to lay on your coffee table and as a result I'll venture to say there isn't a member of this Legislature that read it. It's a beautiful thing but look through it. Look at all the wasted paper. I would much rather have a practical report made on the yellow Senate pad than a monstrosity like this. When I asked the Health Department, here was their answer. "The cost was \$150,000 by this Legislature. This Legislature authorized money. It wasn't federal funds. So let's at least try to be practical in where we authorize expenditures, and when we authorize a certain amount of money to be spent for a certain purpose, let's try and have that committee "ride herd" on it a little and keep it within the bounds of practicability. Here's my prize exhibit. The so-called Great Plains School District Reorganization Project. What did it cost? I'm going to look at the figures. I don't want to be caught prevaricating. \$365,000. Smoke that for a while. I'll say it's the most destructive document that ever issued from anyone in this state of Nebraska. Why do I say that? Because even the people that authorized it say they don't intend to use it. They don't intend to implement it. But what did it do? It caused havoc throughout the length and breadth of Nebraska and many of you know what I'm talking about. It was used as an election propaganda piece all the way through. When I was confronted with some of the things that were quoted about it, I had difficulty to find on page 92 what they were talking about and taking something out of context made an entirely different study of it. I ask those who were charged with the responsibility of getting it out if that was true about that cost of \$365,000 because it was printed in our local paper. The answer was "Well, that is hardly true. It was over a two year study and comprised a four state study. And if it was divided by four, it wasn't quite the exact truth. Well dividing it by four would be \$91,000 for the State of Nebraska and some of our state employees in putting this out. Do you wonder about my apprehension about the loose way of spending federal and state money. Why, because this Legislature gets the blame for it eventually. This thing, perhaps cost the election of some of our valuable members of this body. I think the Legislature should be a little more careful about the authorization of expenditure of funds by state department, by special committees and by other things. I think one of the ways that you can help prevent that is to not en-

dorse and approve of too many interim studies, because they sometimes get entirely out of hand.

Announcement

Mr. Carstens announced a meeting of the Increase in Crime Rate Interim Study Committee upon adjournment.

Invitation

Mr. Carstens invited the members to tour the Beatrice State Home on Thursday, January 10, 1969.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1. With Emergency.

A BILL FOR AN ACT to amend section 50-123.01, Reissue Revised Statutes of Nebraska, 1943, relating to the Legislature; to fix the amount and time of payment of salaries of members of the Legislature in accordance with Article III, section 7, of the Constitution of Nebraska, as amended; to provide when such salaries shall become effective; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 46:

Adamson	Hasebroock	Matzke	Skarda
Batchelder	Holmquist	Moulton	Stryker
Bloom	Hughes	Moylan	Swanson
Budd	Johnson	Nore	Syas
Burbach	Kjar	Orme	Waldo
Carstens	Klaver	Payne	Waldron
Danner	Knight	Pedersen	Wallway
Elrod	Kokes	Proud	Warner
Ely	Kremer	Reynolds	Wenzlaff
Fleming	Luedtke	Robinson	Whitney
Gerdes	Mahoney	Simpson	Wylie
Harsh	Marvel		

Voting in the negative, 0.

Not voting, 3:

Brauer	Viehmeyer	Carpenter
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 2. With Emergency.

A BILL FOR AN ACT to provide for the compensation of employees, mileage of members, and for supplies and other incidental expenses incurred during the Seventy-ninth (Extraordinary) Session of the Legislature of the State of Nebraska; to appropriate the sum of nine thousand six hundred seventy dollars therefor; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 45:

Adamson	Holmquist	Matzke	Skarda
Batchelder	Hughes	Moulton	Stryker
Bloom	Johnson	Moylan	Swanson
Budd	Kjar	Nore	Syas
Burbach	Klaver	Orme	Waldo
Danner	Knight	Payne	Waldron
Elrod	Kokes	Pedersen	Wallwey
Ely	Kremer	Proud	Warner
Fleming	Luedtke	Reynolds	Wenzlaff
Gerdes	Mahoney	Robinson	Whitney
Harsh	Marvel	Simpson	Wylie
Hasebroock			

Voting in the negative, 0.

Not voting, 4:

Brauer	Carpenter	Carstens	Viehmeyer
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 1. Correctly enrolled.

LEGISLATIVE BILL 2. Correctly enrolled.

(Signed) Roland A. Luedtke, Chairman

Announcement

Mrs. Hughes announced that she was the recipient of an award from the Rehabilitation Association of Nebraska and would like unanimous consent to have it placed in the office of the Clerk of the Legislature. No objections. So ordered.

President Signs

While the Legislature was in session and capable of transacting business, the President signed: LB 1 LB 2

Presentations

Speaker Adamson announced there were two winners from Nebraska in the Annual Frog Jumping Contest held in Calaveras County, California. Speaker Adamson presented Mr. Batchelder the ribbon for the frog "Senator Batch", who placed third. Mr. Burbach accepted the trophy, on behalf of Mr. Carpenter, for the frog "Terrible Terry", who won the Senator's Class.

MOTION—WATS Line

Mr. Elrod moved that we have three WATS lines available to the members of the Legislature from 8:00 a.m. until 5:00 p.m., everyday we are in session during the 1969 Legislative Session.

Mr. Skarda moved to have the motion referred to the Executive Board of the Legislative Council.

The Skarda motion prevailed.

Presentation

Mr. Warner presented Mr. Batchelder with a name plate, from the outstate members, inscribed "Minority Leader". Mr. Batchelder thanked the members for the gift.

Presented to the Governor

Presented to the Governor for approval on December 16, 1968 at 10:45 a.m.: LB 1 LB 2

(Signed) Vincent D. Brown,
Assistant Clerk of the Legislature

MOTION—Notify Governor

Mr. Luedtke moved that a committee of seven be appointed to wait upon the Governor to advise him that the Legislature has

completed its work and is ready to adjourn and to ask if he has any further message for the Legislature.

The motion prevailed and the president appointed the following members to serve on said committee: Mrs. Hughes, Messrs. Brauer, Ely, Payne, Stryker, Kjar and Gerdes.

Ease

The Legislature was at ease from 10:58 a.m. until 11:02 a.m.

Escort Governor

The committee escorted Governor Tiemann to the rostrum.

The Governor addressed the members briefly and wished them a happy holiday season.

The committee escorted the Governor from the Chamber.

MOTION—Printing

Mr. Johnson moved that we approve the printing of the legislative bills, daily journals, Session Laws, and Permanent Legislative Journal by Joe Christensen Printing.

The motion prevailed.

MOTION—Journals, Session Laws

Mr. Waldo moved that the Clerk of the Legislature be instructed to send to each member of the Legislature, to the Lieutenant Governor, and to each authorized member of the press assigned to the Legislature for the 79th (Extraordinary) Session a copy of the Permanent Legislative Journal of said session and a copy of the Session Laws passed thereat.

The motion prevailed.

Motion—Appreciation to Press

Mr. Wenzlaff moved a vote of thanks be given to the newspapers and the press associations for their accuracy and fairness in reporting to the people of our State the activities of this Session of the Legislature.

The motion prevailed.

MOTION—Appreciation to Radio and Television

Mr. Matzke moved that this body express its thanks to the radio and television stations for broadcasting news of the Legislature to the citizens of the State.

The motion prevailed.

MOTION—Retain Help

Mr. Pedersen moved that the Clerk of the Legislature be directed to retain such employees as may be required to complete the business of the office for the 79th (Extraordinary) Session of the Legislature.

The motion prevailed.

MOTION—Approve Journal

Mr. Wylie moved that the Legislative Journal for the Seventh Day be approved as prepared by the Clerk.

The motion prevailed.

Appreciation

On behalf of the members of the Legislature, I would like to express our appreciation to Senator Calista Cooper Hughes, Senator Dale Payne, Senator S. H. Brauer, Sr., Senator Harold Stryker, Senator Richard Ely, Senator Albert Kjar, Senator Glenn Viehmeyer, Senator George Fleming, Senator George Gerdes, Ex-Senator Ross Rasmussen, Ex-Senator Arnold Ruhnke and Ex-Senator Eric Rasmussen, who will not serve in the next regular session.

(Signed) Elvin Adamson, Speaker

MOTION—Adjournment

Mr. President: The Seventy-ninth (Extraordinary) Session of the Legislature of Nebraska having finished all business before it, I move that it now adjourn sine die.

(Signed) Sam Klaver

The motion prevailed and at 11:14 a.m., the Legislature adjourned sine die.

Hugo F. Srb
Clerk of the Legislature

CERTIFICATE

I, Hugo F. Srb, Clerk of the Legislature, hereby certify that the foregoing is a true and correct copy of the Legislative Journal of the Seventy-ninth (Extraordinary) Session of the Legislature of the State of Nebraska, convened and held in the City of Lincoln, State of Nebraska, December 9, 1968 to December 16, 1968.

(Signed) Hugo F. Srb
Clerk of the Legislature

December 18, 1968
Lincoln, Nebraska

Received after adjournment

December 16, 1968

The President, the Speaker
and Members of the Legislature
State Capitol
Lincoln, Nebraska

Dear Senators:

This is to inform your honorable body that on December 16, 1968 I approved LB 1 and LB 2.

Respectfully,

(Signed) Norbert T. Tiemann
Governor

sjs

**LEGISLATIVE BILLS ENACTED
INTO LAW**

Seventy-ninth (Extraordinary) Session

- 1 Pedersen, Holmquist. Fix salaries of members of the Legislature.
- 2 Marvel, Gerdes. Appropriation for expenses of Seventy-ninth (Extraordinary) Session.

LEGISLATIVE BILLS**By Original Introducers***

GERDES

- 2 with others
- 3 with others

HOLMQUIST

- 1 with others
- 3 with others

LUEDTKE

- 3 Sales Tax Rate

MARVEL

- 2 Appropriation for expenses of Seventy-ninth (Extraordinary) Session

PEDERSEN

- 1 Fix salaries of members of the Legislature

SWANSON

- 3 with others

* See also, Chronology of Bills, Page 49

LEGISLATIVE BILLS IN COMMITTEES

Revenue

3 Sales tax rate

NEBRASKA STATE LEGISLATURE

Seventy-ninth (Extraordinary) Session

Total Number of Bills Introduced.....	3
Total Number of Resolutions Introduced.....	1

The following table shows the final disposition of each Bill and Resolution.

Approved by the Governor, 2:

1 2

Indefinitely Postponed, 1:

LB 3

Killed in Committee, 1:

LB 3

Resolutions Adopted, 1:

LR 1

Total Bills to Become Law.....	2
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CHRONOLOGY OF BILLS

Seventy-ninth (Extraordinary) Session

	Page
LEGISLATIVE BILL 1 By Pedersen, Holmquist	
Dec. 9 Read first time.....	13
Dec. 9 Rules suspended. Placed on General File.....	13
Dec. 10 Referred for review.....	17
Dec. 10 Placed on Select File.....	18
Dec. 10 Referred for engrossment.....	19
Dec. 12 Correctly engrossed.....	25
Dec. 16 Final Reading.....	39
Dec. 16 Correctly enrolled. President signed.....	40
Dec. 16 Presented to the Governor.....	41
Dec. 16 Approved by the Governor.....	45
 LEGISLATIVE BILL 2 By Marvel, Gerdes	
Dec. 9 Read first time.....	13
Dec. 9 Rules suspended. Placed on General File.....	13
Dec. 10 Referred for review.....	18
Dec. 10 Placed on Select File.....	18
Dec. 10 Referred for engrossment.....	19
Dec. 12 Correctly engrossed.....	25
Dec. 16 Final Reading.....	40
Dec. 16 Correctly enrolled. President signed.....	40
Dec. 16 Presented to the Governor.....	41
Dec. 16 Approved by the Governor.....	45
 LEGISLATIVE BILL 3 By Luedtke, Holmquist, Swanson, Gerdes	
Dec. 9 Read first time.....	13
Dec. 9 Referred to Committee on Revenue.....	14
Dec. 9 Rules suspended. Notice of hearing.....	14
Dec. 12 Indefinitely postponed.....	25
Dec. 12 Motion.....	25

GENERAL INDEX

	Page
ADJOURNMENT; sine die	43

ANNOUNCEMENTS; Rehabilitation Association Award	41
--	----

APPOINTMENTS

Adams, Arch, Motor Vehicle Dealer's License Board	11, 33
Bergstraesser, Rev. Elwin C., State Board of Health	11, 16, 33
Bosley, Warren, State Board of Health	12, 33
Dennis, Emmett J., Jr., Director, Department of Motor Vehicles	11, 16, 33
Freudenburg, Eldon, Nebraska Investment Council	11, 16, 33
Heckman, Dr. Philip, Educational Television Commission	11, 33
Jones, Robert V., State Board of Health	11, 16, 33
Luchtel, Harold J., Board of Educational Lands and Funds	11, 33
Mathes, Donald J., Nebraska Investment Council	11, 16, 33
Novak, Julius, Motor Vehicle Dealer's License Board	11, 33
Tinstman, Dale, Nebraska Investment Council	12, 33
Wells, Lee, Game and Parks Commission	12, 33

APPRECIATION (See also Legislature)

Members, service	43
Press	42
Radio and Television	42
Washington Delegation	20

BILLS

Approved by Governor	45
By original introducers	47
Chronology	49
Enacted into law	46
In Committees	48
Indefinitely postponed	48
Introduced, total	48
Summary	48

	Page
CHRONOLOGY OF BILLS	49
 CLERK, LEGISLATURE	
Certificate	45
Journals, Session Laws, distribution	42
Registered lobbyists, report	34
 COMMITTEES	
Committee on Committees	16, 33
Committee on Credentials	3, 6
Committee on Increase in Crime Rate	39
Committee on Intergovernmental Cooperation	20
Notify Governor	7, 41
 COMMUNICATIONS	
Committee on Committees	33
Secretary of State	4, 5, 6
 GOVERNOR TIEMANN	
Addressed Legislature	7, 8, 9, 10, 42
Appointments	11, 12, 16
Escorted	7, 42
Message; special session, call	2
Notified	7, 41
Open House	35
Proclamation	2
 INVITATIONS	
Governor's Open House	35
Tour Beatrice State Home	39
 LEGISLATIVE COUNCIL; WATS Line	 41
 LEGISLATURE	
Addressed by Washington Delegation	19
Adjournment, sine die	43
Birthdays	36

GENERAL INDEX

51

	Page
Call to order	1
Clerk	
Certificate	45
Journals, Session Laws, distribution	42
Registered lobbyists, report	34
Committees (See Committees)	
Declaration	2
Employees, retain after session	43
Legislative office space	18
Lobbyists report	34
Proclamation	2
Rules	3
Session Laws, Journals, distribution	42
Televis 1969 opening session	18
 LIEUTENANT GOVERNOR; Declaration	 2
MOTIONS	
Adjournment, sine die	43
Appreciation to Press, Radio and TV	42
Approve Journal	43
Committee appointments, new members	10, 11
Committee on Intergovernmental Cooperation	20
ETV Televis opening 1969 session	18
Journals, Session Laws	42
Kjar remarks, print in Journal	36
Legislative office space	18
Notify Governor	7, 41
Officers, Legislative retained	3
Printing	41
Railway Commission, relocation	16, 23
Retain help	43
Rules	3
State Board of Nursing, relocation	16, 23
WATS Line	41

PRAYERS (Appear on first page of each daily Legislative Journal)

PRESS

Appreciation	42
Journals, Session Laws	42

	Page
PRINTING; approval	41
PROCLAMATION	2
RADIO; appreciation	42
REPORTS	
Committee on Committees	16, 33
Lobbyists Registered	34
RESOLUTIONS, LEGISLATIVE	
1 Nebraska Educational Telecommunications Building	14, 15, 16, 17, 18, 23
RULES; adopted Seventy-seventh Session, exception	3
SESSION LAWS	
Clerk to furnish	42
Printing	42
TELEVISION; appreciation	42
UNANIMOUS CONSENT	
Discuss agency budget requests	12
VISITORS, ADDRESSING LEGISLATURE	
Brayton, Robert, representing Congressman Dave Martin	19
Curtis, U.S. Senator Carl T.	19
Denney, Congressman Robert V.	19
Heine, Carl, representing Congressman Glenn Cunningham	19
Polenz, Dean, representing U. S. Senator Roman L. Hruska	19
VISITORS, FOREIGN COUNTRIES	
Deva, Mohinder, New Delhi, India	14
Deva, Neela, New Delhi, India	14

1
2
3
4
5
6
7
8
9
10
11
12
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14
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